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VIEWS AND REVIEWS

The League's Committee on Electoral Reform has completed a report on a model election system which will be published shortly.

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The Committee on Sources of Revenue has a report ready for publication on the administration of special assessments.

✧

The report of the Committee on Civil Service and Public Pensions is practically complete. It describes the weaknesses of many existing pension schemes and outlines the fundamentals of a sound system.

✧

Franklin N. Brewer has resigned as chairman of our committee on county government, and R. S. Childs has been appointed to succeed him. The committee, acting on a request from a member of the legislature of Louisiana, prepared an outline of optional plans of county government to be used as a basis for the optional county charter laws provided for by the new constitution of that state.

✧

The Independent Voters' Association of North Dakota, which is behind the recall election of the Non-partisan League state officials, proposes the abolition of party lines in the nomination and election of state officials. If they succeed in initiating and passing such a

measure, the experiment will be well worth watching. Reports are that the Democrats, who are usually the minority party, favor the innovation, but the Republicans oppose it.

✧

The city charter of Minneapolis is ten times as long as the United States constitution and twice as long as the constitution of Minnesota, according to the bureau of municipal research of that city.

✧

The proposal for a constitutional convention was rejected by the people of Pennsylvania at the September election by a large majority. It is understood that the bosses of all political factions sent out word in advance to slaughter the proposition.

✧

The new Kalamazoo charter drafted to replace the present city-manager form was decisively defeated at the polls in a light vote on October 4. This means that manager government will be retained, the October vote being in fact a reversal of the earlier decision.

✧

Dayton will not vote this year on the repeal of the city-manager charter. The petition praying for an election on the matter was thrown out by the supreme court of Ohio. Many friends of city-manager government in Dayton regret that the election could not be

held, since they were confident that the plan would have been sustained and its professional opponents relegated to oblivion.

✱

One of those little mottoes it used to be our duty to learn each day in public school had something to say about the good being a strong enemy of the best; and it seems to have worked out in Portland, Maine, in the recent charter election. On that occasion the old charter providing for a mayor, board of aldermen and common council won over the city-manager form by 101 votes. Along with these a third plan was submitted which retained the old mayor but abolished the two chamber council. Enough people were satisfied with moderate progress to vote for this plan. It is a fair assumption if the third plan had not been present to complicate matters many of these votes would have been thrown against the old form in favor of the city-manager plan.

✱

The Cleveland city-manager campaign will be decided on November 8. President W. G. Lee of the Brotherhood of Railway Trainmen has this to say:

I have personally investigated how the city-manager plan has worked out in Dayton, Ohio. I have asked railroad men about it. I don't see how any workingman can oppose the plan after investigating it. I see nothing undemocratic in having the city manager selected by the councilmen, or commissioners. He doesn't pass any laws. He doesn't determine any public policies. I'm for the city-manager plan because it makes possible the elimination of politics from public business, and that means better government and lower taxes. I should like to see Cleveland adopt the city-manager plan.

✱

A petition has been filed in the federal court by a Detroit bank requesting that Winston County, Alabama, officials be compelled to levy and collect a

special tax for the purpose of paying the interest on certain county bonds owned by that bank and for providing a sinking fund for the issue. The bank holds \$26,500 of the county's bonds issued in 1901. It is claimed that interest is now overdue and that the county is not putting aside a sufficient annual sum to be used as a sinking fund.

Credit is an infinitely sensitive thing and all Alabama cities and counties will feel the effects of one county's defalcation. The League's model municipal bond law will soon be published. Its adoption will make situations like the above extremely difficult.

✱

The Complexities of Housing Housing, like health, is dependent upon a great number of elements. A dislocation in any element may cause insufficient or inadequate housing just as a toothache may cause pain which absorbs the entire attention of the patient and to all intents and purposes nullifies the orderly functioning of the numerous organs of the human body. The present housing situation is, apparently, caused by the dislocation of the numerous elements which contribute to the production of homes at a price within the means of the families to occupy them. Neither the adjustment of credit, nor the reduction in prices of building materials, nor the decrease in cost of labor will alone stimulate the building of houses. Even if all three of these elements were to be adjusted we might not have houses conforming to the standards which the American people are increasingly being educated to demand.

All of these phases of the housing situation will be discussed in Chicago during Civic Revival Week, November 13-17. One whole session will be devoted to economies in the productions of small houses—economies in land layout and utilities, economies in

plan and construction, economies based on scientific tests of building materials, economies based on revision of building codes, economies which result from knowledge which may be secured from Uncle Sam, economies which are dependent upon community action.

So complex a problem as housing may be solved only by careful, consecutive attention to an infinite number of details. No person interested in housing can afford to remain away from the Chicago meetings scheduled for the third week in November.

H. J.

✱

*To Kill
the
Merit System*

A well-organized movement is under way to kill the merit system. It is none the less dangerous, because its sponsors are honestly seeking to aid the courageous veterans of the late war. The New York constitution has a stiff section in favor of the merit system, and a constitutional amendment is necessary before any material preference can be extended ex-service men. So the people of the state will vote November 8, on an amendment which gives any honorably discharged sailor or soldier who enlisted from that state, and who can meet the examination with a mere passing grade, absolute preference over all others no matter what his place may be on the appointment or promotion lists. If this passes the result will be practically to exclude women from the civil service and to turn it over for a generation to a military group. To the state and the municipalities thereof, the passage of this amendment will be a calamity.

The Veterans of Foreign Wars, recently in session in Detroit, passed a resolution demanding similar absolute preference for all ex-service men in every state and in the federal government. They forget for the moment

the implications of their resolution, the force of which is to present men with places which they are not qualified to fill. Aside from prostituting the civil service, such preference tends to break down a man's self respect. It puts him in the position of a receiver of alms, which, to men who are fit to serve the county, must be extremely distasteful.

✱

*The Partisan
Ballot, The
Smoke Screen
of Municipal
Politics*

When we told Mr. John P. Logan, city clerk and treasurer of Bloemfontain, South Africa (who visited this country recently to study our municipal administration), that most of our city elections were conducted along the same party lines as our national elections and vastly complicated thereby, his expression of surprise was vigorous enough to be embarrassing. Being patriotic, we tried to explain the peculiar American conditions which gave rise to this remarkable situation, but made a bad mess of it. And then we began to wonder why Americans stood for it, with all the confusion and evasion of issues and the exploitation of prejudice which it involves.

At this writing the independent Democrats and the Republicans of New York City are trying to unite to defeat the Tammany mayor who wants to be re-elected. The fusion candidate had to win nomination in the Republican primary and will go on the ballot as a Republican candidate. It is hoped that enough of other parties will be able to overcome their antipathy to the Republican emblem to elect him. But there will be thousands who will vote the Tammany ticket, not because they favor the organization, but because they have been trained to be Democrats.

We clip the following from a New York newspaper. We think it proves our point.

In his Brooklyn address on Thursday, Mr. Curran asked, with an innocent air, why it would not be a good thing, in a city election, to talk about the city. The allusion was obvious to campaigners who want to be elected in New York for the sake of the effect on Washington or Albany. There are some citizens who wish to vote in our municipal election for the sole purpose of "rebuking" President Harding for what he has not done for the Irish Republic, or for what he has done to the German Republic. Others are hot to cast a ballot for mayor aimed at the state legislature or Governor Miller.

One thing the non-partisan ballot does for municipal elections; it concentrates attention on local issues. Candidates can't send up the smoke screen of state or national politics.

*

The Chapel Hill Conference

You missed something if you failed to attend the town and county conference at the University of North Carolina the last of September, and in which the League co-operated. It was a regional conference. Matters of general interest were discussed from a local viewpoint. But the man from another state felt right at home, partly because of the mellow hospitality of the natives and partly because he recognized the troubles of North Carolina towns and counties as old acquaintances.

Those present came prepared to search deeply the soul of North Carolina and to act on the evidence disclosed. The state superintendent of

public instruction, Dr. E. C. Brooks, unmercifully probed the financial method of the counties. The conditions he disclosed were nothing to make a Tar Heel feel proud. They do feel determined, however, and at the last session of the conference completed an organization designed for immediate action through education and legislation. They intend to modernize North Carolina county government.

Mr. Arthur N. Pierson, author of the New Jersey finance acts, made two talks and submitted to long cross examination. The cities are in trouble, and they are inclined to distrust their new, excellent finance act. Pierson's plea was, "Boys, don't let them repeat it." The only way out is through strict adherence to sound business practice.

We can expect progress from North Carolina. We shall be grievously disappointed if it is not forthcoming. Professor E. C. Branson has been the leading spirit through his North Carolina Study Club, organized to study the home state. The club has turned out some excellent reports on local conditions. A weekly news-letter goes to more than 20,000 addresses. The new School of Public Welfare, under Professor H. W. Odum, will attend to the social problems of the towns and counties. There is a fine spirit of co-operation between the University and the public officials throughout the state.

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A SUGGESTED ECONOMY FOR CONGRESS

BY CHARLES A. BEARD

If congress would only laugh, the reform would be accomplished at once. This being hopeless and taxes being high, why not try scientific management as here proposed? :: :: :: ::

THERE are two grave faults in American politics. The first is the absence of laughter and the second is the dearth of thought. Much of the fuss, futility, and waste of print paper in the *Congressional Record* comes from the almost total lack of humor in the august body that is presumed to make laws for this nation. If there were even a handful of members possessed of lively wit, could there be the almost interminable debates on "executive tyranny?" When by the grace of fortune a Democrat inhabits the White House, the Republican conscript fathers cry aloud, gnash their teeth, and threaten us all with the fate of imperial Rome if some stop is not made to executive encroachment on the prerogatives of congress. When the tables are reversed, and it is Mr. Harding instead of Mr. Wilson, then it is the conscript fathers on the Democratic side who tear passion to tatters in defense of legislative rights. How often, oh, how often is the dear old Constitution breached, the supreme law of the land violated, the blood-bought privileges of centuries trampled in the mire by the president—in the heated imagination of fermenting orators! Night calls unto day, and there is no surcease of talk about executive tyranny. And yet there is no laughter! Men who seem to be legally in possession of their faculties can listen for hours to such superb oratory and never crack a smile. Expert stenographers work like fury taking it all down. Lino operators

work all night setting it into type. Vigilant pressmen work all day watching it stream from their machines in endless ribbons. And nobody laughs. If only once some rotund, impassive countenance were to relax in the midst of an impassioned burst of oratory about executive encroachment, slowly crinkle up into a raptuous smile, and then break out into a grand old raucous roar such as may be heard in a barbershop when somebody tells the latest one, then great economy and efficiency could be introduced in congressional debate.

But there is no reason to hope that this unseemly thing may happen. No first-rate humorist could be elected to congress, or, if elected, could rise far in party councils. The career of the brilliant, witty, and informed T. B. Reed affords conclusive proof of the melancholy fact. He could tell a story, delicate and chaste enough for the *Ladies' Home Journal*, in a way that made even masculine audiences creak and groan with laughter, he could plow through tariff schedules with a nonchalance that spread hope and joy on every side, but he could not be nominated for president, or in the end dominate the congress in which he was reckoned a czar.

AN ECONOMICAL METHOD FOR CONGRESSIONAL SPEECHES

There is no hope for efficiency and economy through the introduction of

laughter. Therefore, some other resource must be found. My constructive recommendation on this point is as follows: Inasmuch as the almost endless debates on executive encroachment occur with deadly regularity, elaborate provision may be made for them in advance. A skilled clerk to any one of the committees (even a distant cousin of the member who got him the job) could readily run through one hundred years of debates on this subject, tabulate the arguments, collate the exordiums and perorations, and otherwise extract the quintessence of the matter. Fifty speeches, each occupying fifty pages of the *Congressional Record*, could be compiled on each side of the momentous question: "Shall the President become a Czar?" These speeches could be numbered A 1, A 2, B 1, B 2, etc. Blank spaces could be left to insert the name of the president, the date of his offense, and the heinous character of his misdemeanor, etc., etc.

These speeches could then be printed and bound in limp leather (or oilcloth) according to the name of the party in power at the time. Each member of each house could have a copy in his pocket all the time. The schedule of topics should be preceded by a calendar of themes, so that the busy lawmaker could select his particular favorite at a glance.

A rule should then be provided to the effect that whenever the presiding officer of either house sees the rising tide of purple coming over the collar of an opposition member, he shall ask the

floor leaders their pleasure in the crisis. If the matter were extremely important, a party caucus might be held and assignments made by the ranking member of the committee on ways and means in the house and of finance in the senate. If an election were pending it might be found desirable to have the canned speeches run into the *Record* for distribution to that portion of the population irreverently dubbed "yaps" and "boobs" by Mr. H. L. Mencken. If no election were pending, the presiding officer, as instructed by the floor leaders of the respective parties, could simply say to the official stenographers: "Here insert the words: 'Canned Oration, Schedule A 3 and Schedule B 6' in lieu of impromptu speeches on the subject in question." The instructions would, of course, vary on occasion, but at all events not more than three or four lines of type need be consumed in the process. The saving introduced by the simple device would be sufficient in the course of a century to fortify Guam against the Japanese, or pay for any other constructive work of similar character.

There are undoubtedly other subjects to which the same process could be applied, with equally gratifying results. Still, since the collapse of the Revolution in Russia, caution should be exercised against introducing too much reform suddenly and without adequate spiritual preparation. A very careful test should be made of one application before undertaking a radical *bouleversement*.

THE WRANGLE OVER PUBLIC UTILITIES IN ILLINOIS

BY GEORGE C. SIKES

ILLINOIS seems to be going around in circles in dealing with the subject of home rule in public utility regulation and in making provision for municipal ownership in Chicago.

The law creating the public utilities commission, as successor of the railroad and warehouse commission, was passed in 1913, when Edward F. Dunne was governor. Illinois needed legislation at that time for public utility regulation and Governor Dunne, who advocated such legislation and who also was supposed to be a strong advocate of home rule for cities, was expected to see that the home rule principle was not violated. The measure as drafted provided that any city by a referendum vote might itself be the regulating agency for local utilities. But this was stricken out in the legislature, and Governor Dunne was obliged to accept or reject the bill as passed. He was strongly urged to veto the measure because of the elimination of the home rule feature. He signed it, however, justifying his action on the ground that the legislature at its next session would be asked to put in the home rule feature.

During recent years the state utilities commission has been very unpopular, not only in Chicago, but throughout the state, because of its action in authorizing heavy rate increases for local utility services. Len Small, candidate of the Thompson-Lundin organization for governor, went into office pledged to repeal the utilities act and to restore home rule. The bill on the subject as offered with Governor

Small's backing in the session of the legislature that came to an end late in June provided for the abolition of the state utilities commission and the creation in its place of the Illinois Commerce Commission. Critics of Governor Small said this bill did not abolish the commission, but merely changed its name. However, Governor Small's measure as introduced did contain substantially the home rule provisions of the bill as originally offered in the Dunne administration in 1913. Under these home rule provisions, any city of the state on a referendum vote might exercise as to strictly local utilities the powers of regulation conferred on the state commission. There was to be no appeal from the local regulating agency to the state commission, but there was to be the same right of appeal to the courts as would be the case if the orders had been given by the state commission. The referendum vote might be ordered by council ordinance, or by a petition signed by 5 per cent of the electorate.

The public utility interests and other opponents of home rule demonstrated more power in the legislature than could be mustered by the political group led by Governor Small and Mayor Thompson. The bill was passed, but it was badly emasculated. As it came out of the legislative hopper it provided that a referendum vote in any city on the question of adopting the home rule regulation feature could be taken only after the filing of a petition containing the names of 25 per cent of the electorate. In Chicago this would mean about 250,000 names. Moreover, an

appeal is allowed from the local regulating agency to the state commission.

Some of the home rule advocates thought Governor Small ought to veto the bill as passed; but he signed it, expressing disappointment, and saying he thought the bill marked some improvement. Doubtless the greater spoils possibilities of the present act had its weight with Governor Small. The new law provides for seven commissioners instead of five, and permits the appointment of not to exceed eight assistant commissioners. A considerable number of employes are exempted from the operation of the state civil service law.

An important feature is the provision that hearings on local issues shall be held by a commissioner or an assistant commissioner in the communities affected, instead of in Springfield or Chicago, and that judicial appeals shall be to the courts in the county where the controversy arises, instead of in Sangamon County, where the capital of the state is located.

LEGISLATION AUTHORIZING MUNICIPAL OWNERSHIP FAILED OF PASSAGE

With reference to public ownership, the controversy in the legislature was over the plan of Mayor Thompson of Chicago for the creation of transportation districts, with separately elected boards of trustees to own and operate transportation systems. Chicago has long had the powers necessary for the acquisition, ownership and operation of local public utilities, except financial power. Of course, without financial power it can do nothing. One trouble with Mayor Thompson's transportation district plan is that it does not confer adequate financial powers, and

under the present constitution cannot do so.

The Chicago district, if created, would have a borrowing power of only \$80,000,000, with the possibility of doubling that sum by future legislation. The amount of money required for an adequate transportation system for Chicago, including surface and elevated lines and proposed subways, probably would be \$300,000,000 or \$400,000,000 at least. Another objection urged against the Thompson plan is that it would mean the creation of another governing agency, when the territory comprising Chicago and Cook County already has too many governments. Many municipal ownership advocates in Chicago think the proper procedure is to urge the modification of the state constitution so as to give Chicago borrowing power adequate for municipal ownership purposes and to authorize the city to operate lines outside its corporate limits.

Mayor Thompson and his supporters urged their plan, but seemingly without meeting the objections offered. At any rate the bill failed of passage in the legislature.

An important feature of the Thompson transportation district plan as urged in the campaign was that the rate of fare should be five cents. It was boldly proposed that the trustees be given direct authority in the enabling act to levy taxes to make up any deficit that might arise from furnishing service at a five-cent fare. This feature was so much criticised that doubtless it would have been eliminated in the legislature had there been a disposition to accept the plan otherwise. But for a combination of reasons the measure as a whole failed to receive favorable consideration.

TAMMANY VERSUS NEW YORK

BY ROBERT MOSES

Secretary to the Coalition Committee in the New York City Campaign

This article was written September 27, and tells how Democrats and Republicans have fused in a dramatic campaign to defeat The Tammany mayor up for re-election. :: :: :: :: ::

NEW YORK CITY election campaigns abound in dramatic settings, salient personalities and unexpected incidents. Usually these campaigns are of national significance and the chief actors are known everywhere. One need mention the names only of Seth Low, Henry George, William Randolph Hearst, William Jay Gaynor, and John Purroy Mitchel. Who has not heard of graft disclosures in Van Wyck's régime, McClellan's break with Tammany, Gaynor's letters, the death of Henry George on the very eve of an election, and of Gaynor shortly before another, Mitchel's fall from an airplane shortly after his defeat for re-election?

What are the issues in the present campaign? The Hylan administration has been one of undeniable incompetency. Mayor Hylan himself is a good-natured, and apparently honest man of small mental calibre. It is generally agreed that he is the most ignorant mayor of New York within memory. The Hylan administration had two assets at the beginning—Alfred E. Smith, who was president of the Board of Aldermen, and Frank Dowling, who was president of the Borough of Manhattan. Smith soon resigned to become governor, and Dowling died in office. Their places were filled by Republicans, one of whom is now Hylan's opponent for the mayoralty. The Tammany controller, Charles L. Craig, is a man of undoubted ability, but obstinate and

obstructive. Most of the mayor's appointees have been men without any qualification for office, the majority being Tammany district leaders. There has been incompetence in almost every line of civic work. Constant bickering and fighting in the board of estimate has delayed every necessary project. The budget has risen enormously. School building and repairs have lagged to such an extent that thousands of children have no seats or are on part time. The police department has suffered a complete collapse in morale under a commissioner appointed from the uniformed force. There is a dock scandal and a markets scandal. However, no charge of personal dishonesty has been brought home to the mayor.

It would seem that the issues are simple, but there are complications. Last February, well-authenticated reports indicate that Mayor Hylan would be glad to retire at the end of his term. In the next two months, the situation changed completely. Hylan was given an issue. A Republican governor, Nathan L. Miller, over the protest of almost every New York City representative, jammed through his so-called "traction bill," placing the New York City transit problem wholly in the hands of a state transit commission, which was to unify and bring under city ownership all the transit facilities with their obsolete street car lines, watered stock, tangle

of franchises and contracts, holding companies, preferentials and guaranteed dividends. The companies were to have the right to accept or refuse the plan, but the city, with an investment of some \$300,000,000 guaranteeing a five-cent fare, was deprived of a voice through its locally elected representatives. This violation of home rule was intensely resented by the majority of citizens of all parties, and immediately created the issue which Hylan, aided by Hearst and his newspapers, was not slow to seize upon. The issue was that of home rule and a five cent fare. To this was added opposition to increases in light, gas and telephone rates. Hylan had opposed these increases which were very generally regarded as unjustifiable.

But the mayor's attitude toward all of these problems was entirely one of obstruction. He prepared statements for the press, but little convincing evidence for the courts to prevent increased rates. He opposed higher traction fares and established competing and on the whole unsuccessful municipal bus lines, but neither he nor his associates attempted to offer any intelligent solution of the traction problem. He was as incapable of co-operating with Governor Smith of his own party on traction plans which involved no question of violation of home rule, as with Governor Miller. So far as Mayor Hylan had any plan, it seems to have been to bring about general municipal ownership and operation by driving all the traction lines into bankruptcy.

It is safe to say that but for Governor Miller's traction legislation and other legislative measures forced on the city against its wishes, there would be little doubt as to the outcome of the city campaign. A coalition has been effected between Republicans and independents which has resulted in the

nomination of candidates all of whom are opposed to Governor Miller's traction bill, favor the five-cent fare, home rule and lower utilities rates. Henry Curran, who has been nominated for mayor, is now the Republican president of the Borough of Manhattan. He has a long and excellent record in public office and an attractive and modest personality. He has a definite plan to meet the city's problems. His overwhelming defeat of three opponents in the primaries, two of whom were regarded as formidable, was an impressive demonstration of his strength. His associates for the city-wide offices are Senator Lockwood, Republican, who, with Samuel Untermyer, has been conducting a most productive legislative housing investigation, and Vincent Gilroy, an independent Democrat, and nephew of a former mayor.

The main question in the campaign may be defined as follows: can Mayor Hylan and Hearst persuade the mass of poorer people that the Coalition Republican candidates are not sincere in their stand on traction, utilities and home rule.

As in the recent primaries, women will play a tremendously important part in the campaign, and it is not too much to say that the result is largely in their hands. The Coalition Republican ticket, if it is to win, must persuade independent voters that they are not being asked to work for a straight Republican administration with Republican district leaders taking the place of the present Tammany officeholders. The deplorable school situation will be a very important factor. Further disclosures by the Meyer Investigating Committee will also weigh heavily against Hylan. Another factor is the row which has broken out in Tammany Hall over a

primary contest for the position of president of the Borough of Manhattan, between a recalcitrant Tammany district leader and Murphy, the Tammany boss.

Shrewd observers of New York politics say that you can not elect an ac-

knowledged fool or laughing-stock as mayor unless he has a big issue. It looks now as if the big issue injected by Governor Miller may be removed from the campaign. If so, Hyman may be laughed out of office. Stranger things have happened in city elections.

OBSERVATIONS ON STATE FINANCIAL METHODS

BY CHARLES R. MILLER

Former Governor of Delaware

Modern accounting methods, a budget system, administrative consolidation are the fundamentals of sound financial procedure. :: ::

For years past there has been confusion regarding Delaware finances, caused by a lack of information, understanding, and the absence of the sound principles of government. Therefore, we have been drifting along without any established financial system, depending upon two things: First, The hope that everything would come out well in the end; and, second, confidence in the integrity of our public officials.

We should, however, insist upon the adoption of such mechanical necessities in government management of the affairs just mentioned as will give complete financial information and control and put the state's affairs on a scientific basis, insofar as practical. When we have complete information and control, financial problems are reduced to a minimum. The importance of mechanical necessities can be understood by the average citizen, and it is the average citizen that should be interested.

NO AUDIT OF REVENUES

A law passed by the last General Assembly provides for the proper audit

of expenditures; but there is no provision in that law, nor does there seem to exist any law on our statute books, which provides for the audit of revenues. Just how much the absence of such a law means can only be imagined, as there is no way of telling the licenses which have been overlooked by the clerks of the peace; nor the corporations which are delinquent in payment of franchise tax; nor is there any check on fees collectable by the office of the secretary of state; nor is any audit possible of the collections of the state insurance commission.

These citations are not directed towards any individual official. The criticism is intended to call attention to the lack of any well-organized and proper system.

THE FOLLY OF DEDICATED REVENUES

Reference now is directed to the law stipulating the use which must be made of the funds derived from the income tax, namely, for the support of the schools and highways. What is the advantage of such procedure? There can be none—it does not increase

the revenue; it does not simplify book-keeping; it does not protect the schools or the highways by guaranteeing them revenue. On the contrary, it endangers and lessens the efficiency of these state departments by making the amount of revenue uncertain.

What is the objection to placing all the revenue in the general fund and apportioning the funds to the various functions, activities and departments of the state according to their legitimate requirements? It would give more leeway and avoid such difficulties as the highway department is experiencing at present. The budget could be prepared more readily and scientifically, and we would be able to eliminate the archaic and objectionable phraseology which appears in many acts carrying appropriations, namely, "payable out of funds not otherwise appropriated."

THE NEED FOR MODERN ACCOUNTING

As far as ascertainable, there has never been any real audit of the books of the state; and the system which has been in use (a single entry system), does not provide an automatic audit. Even the statement presented by former Governor Townsend, January 1, 1921 (which is similar in form to that submitted by the governor to the General Assembly in January, 1915, which was the first detailed information regarding finances ever presented to the members of a General Assembly) does not give information of the finances which is sufficiently complete for satisfactory work.

To prepare a complete, accurate and dependable statement in the past has been impossible, owing to the absence of any modern system of accounting. The state auditor, Hon. Daniel Thompson, is now having installed a complete and modern system of accounts by

W. B. Richards and Company, of New York, a firm of international reputation in accounting. For this move to improve the state accounting conditions the members of the recent General Assembly are to be commended; and the state auditor should be commended for the promptness with which he has proceeded to introduce system into our state accounting.

The new system of accounts should make complete financial data readily available, and be the basis of intelligent planning of expenditures and economy. Governmental accounting is a science—a specialized branch of general accounting—a fact which the members of this association doubtless appreciate. What we need to urge now is an audit of the books, so that the figures which will now be used in opening the new set of books will be absolutely accurate. Then the officers of the state can go ahead with some assurance, and work confidently and intelligently. They can use common sense free from guess work.

GOVERNMENT STRENGTHENED BY BUDGET

How does the budget fit with the ideas of democratic government as worked out in this country? Does it make the governor the executive in fact, and is he given proper opportunity to administer the affairs of the state? Is the governor responsible to the electorate through the General Assembly? The heads of departments, boards and agencies submit their plans and needs, he questions them and revises their estimates to conform with his larger plans. The governor then must submit his plans and estimates for funds with which to run the state to the representatives of the electorate—the General Assembly. That body has access to all information

and is in a position to intelligently decide to what extent the governor's requests are proper. Certainly the general structure of the machinery of government is strengthened by the passage of the budget law.

Is the budget law democratic? Assuredly yes. The law requires that the budget be printed in the papers, and that it be distributed among the departments and officers of the state. The hearings are public, and the statements will be so arranged as to be readily understood.

The classification which the budget requires will be of no small advantage. It will show the expenditures for obligations assumed in the past, expenditures for present operations, and indebtedness incurred for future benefits, such as improvements.

Summing up briefly the advantages of the budget system gives accurate figures of the needs of each department, bureau, board, commission, division office and officer by accurate and scientific calculations; it makes intelligent planning possible; it brings the state's finances into the open, so that each citizen may know the facts and figures and the plans of the administration.

BUDGET TO BE SUCCESSFUL REQUIRES ADMINISTRATIVE REORGANIZATION

If the state's problems of finance—revenue, expenditures and handling of funds—are to be handled with wisdom and dispatch, there must be an organization which can work in co-operation and act efficiently and in accord with the most approved methods. Your attention is especially directed to that which is absolutely essential—organization. What will all the mechanism and budgets do for the finance administration if there is not the organization

to form policies, to collect revenues expeditiously, and to spend the money economically. The human element must necessarily play a large part.

Previous to the adoption of the present constitution, the governor appointed all administrative officials. Those of you who may recall that time can determine whether our state has benefited by decentralization under the present constitution. Be this as it may, the present constitution has certainly served its purpose, and the people of the state under present conditions are entitled to a better form of government than is obtainable under the provisions of the present constitution.

A survey made recently of the state government, recommended an organization of the state administration machinery along the lines adopted with such success in other states. It provided for grouping the functions of the government into a few large departments. The federal government is now planning such a reorganization. As valuable as the budget may be as part of the necessary machinery, of what value is it today as compared with its effectiveness if the government were organized?

The budget cannot do everything. At present, there are somewhere in the neighborhood of 120 boards, commissions, departments, offices, officers, institutions and agencies. Each must have its own office, its own equipment, its own office force. There is duplication and overlapping. Responsibility can be shifted. If order is Heaven's first law, it appears to be our last, as things now stand.

A proper reorganization will make for greater unity, greater harmony, and greater economy—it is the essential that is now required to make full use of the budget.

APPRAISING DETROIT'S NEW CRIMINAL COURT

BY ARCH MANDEL

Detroit Bureau of Governmental Research

The new system has been in force about a year and a half but it has already shown tangible results. :: :: :: :: ::

IN the following two thousand words an effort will be made to present a fact statement of the work of Detroit's unified criminal court system that went into effect on April 20, 1920. It is recognized that less than one and a half years of operation is too brief a period to permit of drawing definite conclusions or in which to expect perfection of development. It will suffice, however, to give an idea of the efficacy of the new organization.

What should be the basis for evaluating the work of a criminal court? When is such a court "efficient"? A judge, a prosecuting attorney, a practicing attorney, and a sociologist would each render a different judgment on the efficacy of the same court. There seems to be, however, one essential regarded as a minimum standard for efficiency in a criminal court, namely, promptness and certainty in the han-

dling and disposition of cases. It seems agreed that among other things justice demands swift and certain punishment of the guilty and equally decisive action in the vindication of the innocent. Therefore, it may be assumed, whether it can be proven or not, that a criminal court is more likely to help reduce crime and to render justice if it disposes of its cases expeditiously.

CASES TRIED PROMPTLY

Has the new court system in Detroit done this? A study of 1965 felonies originating in the new court during the first six months of its operation reveals the fact that 38 per cent were disposed of within seven days, that is, from the arraignment on the warrant through the final trial; 52 per cent were disposed of within fourteen days and 93 per cent within ninety days. As against this the

CUMULATIVE TABLE COMPARING THE TIME CONSUMED IN DISPOSING OF FELONIES UNDER THE OLD COURT AND THE NEW. PERIODS COMPARED ARE APRIL 20, TO DECEMBER 31, FOR THE YEARS 1919 AND 1920

Weeks	1919		1920	
	No.	Per cent	No.	Per cent
1.....	31	2	748	38
2.....	92	5	1015	52
3.....	187	10	1187	61
4.....	292	15	1322	68
5.....	406	21	1441	74
6.....	529	27	1533	79
7.....	661	34	1609	83
8.....	789	40	1680	86
9.....	1160	59	1707	87
65-90 days.....	1297	66	1820	93
90-270 days.....	1562	80	1965	100
270-610 days.....	1948	100		

record of the old courts shows for the corresponding period in 1919, out of 1948 cases, 2 per cent disposed of within seven days; 5 per cent within fourteen days, and 66 per cent within ninety days; 20 per cent of the cases were disposed of between nine months and two years.

The analysis of the more prevalent felonies, shows up as follows:

Carrying Concealed Weapons: In 1920 out of 377 such cases over 69 per cent were disposed of within one week. In 1919 out of 237 cases, 5 per cent were disposed of within one week.

Larceny from Person: In 1920, out of 66 such

which informations had been filed, to be tried.¹

PUNISHMENT MORE CERTAIN

Data are not at hand to prove that punishment is more certain. However, from a general review it seems that convicted persons are dealt with more severely than formerly. The following tabulation of disposition of persons tried on the charge of robbery compiled by the Detroit Police Department indicates in the main the attitude of the court in the handling of offenders.

DISPOSITIONS OF PERSONS TRIED IN THE RECORDER'S COURT ON THE CHARGE OF ROBBERY FROM APRIL 20 1919 TO APRIL 20, 1920 AS COMPARED WITH THE SAME PERIOD, 1920-1921

	1919	1920
Number tried.....	181	171
Convicted.....	91	96
Per cent convicted against number tried.....	50%	56%
Probation.....	11	2
Suspended sentence.....	10	0
Life.....	0	4
Number sentenced term of years.....	70	90
Per cent of number sentenced (to term of years) against convictions.....	77%	93%
Discharged.....	53	22
Nolle prossed.....	37	53
Average number of years of sentence.....	8 months to 3 years	8 years to 19 years

cases, 30 per cent were disposed of within one week. In 1919, out of 36 cases, 5½ per cent were disposed of within the fifth week, — none prior to that time. By the end of the fifth week in 1920, 72 per cent of these cases were finished.

In 1919, 25 per cent were disposed of after nine months pending in the Court.

Robbery: In 1920, out of 85 robberies, 16 per cent were disposed of within one week and in 1919, out of 105, 1 per cent. At the end of two weeks, 34 per cent were disposed of in 1920 and 1 per cent in 1919.

Breaking and Entering: In 1920 out of 118 such cases, 10 per cent were disposed of within one week and in 1919 out of 144, 3½ per cent.

Violating Prohibition Law: In 1920, out of 417 cases, 52½ per cent were disposed of in one week. In 1919 out of 653, 1 per cent. Also for 1919, 32 per cent of these cases were not disposed of until after nine months.

When the new organization took hold it found 2,200 untried felony cases. At the end of the year, April 21, 1921, there were only 32 felony cases, in

For obvious reasons, judgment upon sentences imposed is reserved. What justice is and whether severe or lenient sentences are more effective depends upon the individual offender and the circumstances surrounding the offense, as well as the facilities for executing dispositions.

Other phases of the new court's work that deserve attention locally are the improved methods in handling women offenders through virtually establishing a woman's court and through the creation of an efficient woman's probation division; establishment of a night court and traffic court; and a successful fight against the nefarious practices of professional bondsmen.

Since these features are common to other cities, and in fact may have

¹ First Annual Report by Presiding-Judge Harry B Keidan.

reached a greater degree of development than in Detroit, they will be passed over with mere mention.

A PSYCHOPATHIC CLINIC

Of greater general interest is the creation and use of a psychopathic clinic. The clinic although operating officially only since April of this year has already demonstrated its great possibilities of usefulness in assisting the court to more intelligent disposition of offenders. Before imposing sentence upon offenders referred to the clinic for examination the judge has before him a complete social history of the individual compiled by investigators of the clinic, a diagnosis of the physical and mental conditions together with recommendations for treatment based upon the findings. Unfortunately, Detroit at present is limited in the facilities for extended observation of offenders and for carrying out treatment recommended by the psychiatrist.

A UNIFIED COURT: JUDGES ON THEIR TOES

To the country at large the objects of particular interest are those factors that made possible speed and certainty of punishment. Wherein does the Detroit criminal court system differ from that of other cities and from Detroit's former system?

Prior to April 20, 1920 Detroit had the usual inferior and superior criminal courts, the Police Court and the Recorder's Court; the former having jurisdiction over misdemeanors and over the arraignment and examination of felony cases and the latter over the trial of felony cases, and because it was a city court had jurisdiction over ordinance cases. There were five judges, three in the Police Court and two in

the Recorder's Court, each an independent and co-ordinate unit.

The law creating the new court provides the following features absent under the old dual organization:

1. A unified criminal court for Detroit. The Police Court was merged with the Recorder's Court.
2. A presiding judge, chosen by the whole bench of seven judges for such term as is agreed upon, who "shall be charged with the general supervision and superintendence of the work of the court."
3. Power to establish and maintain specialized branches or divisions as may be deemed proper and expedient by a majority of the judges.
4. Seven judges instead of five, with equal powers and jurisdiction.
5. Psychopathic clinic.

Of these distinctive features the first two mentioned are primarily responsible for the improved functioning of the court. The responsibility for the handling of all criminal cases from beginning to end being vested in one court, an organization that is operated as a singular administrative unit under the "general supervision" of a presiding judge, has made for expeditiousness. Furthermore assignment of cases by a presiding judge has permitted uniform distribution, eliminating congestion in any one division.

The benefit of unification is further exemplified by the fact that out of 981 felony cases where the defendants pleaded guilty, 25 per cent were disposed of within twenty-four hours and 55 per cent within seven days.

Coupled with this advantageous organization is the presence on the bench of a majority of judges, including a presiding judge, who are anxious that the court in its operation profit to the maximum from the provisions of the law, and who are striving to eliminate those elements that tend to defeat the

purposes of criminal courts. In other words, the judges are on their toes, anxious to carry out to the full, provisions of a law passed by an overwhelming vote of the people because of the promised benefits to be derived.

WHAT HAS BEEN THE EFFECT ON CRIME?

Has the new court had any effect on crime in Detroit? The following figures show that since November 1920, major crimes in Detroit have been at an unusually low level not only in comparison to former periods in Detroit but also, it is believed, when contrasted to conditions in 1921 throughout the rest of the country. In passing, it may be noted that unemployment in Detroit has been as great relatively as that in any other of our cities.

Comparing the number of certain crimes reported by the Police Department:

REAL TEST AHEAD

To summarize — the reorganization of the criminal courts of Detroit has begun to justify itself— Commendable progress has been made, but it will require years of careful study, giving due weight to all the variable factors in the community bearing upon crime, to determine whether or not the court is responsible for any reduction in crime. After all even perfectly functioning law enforcing agencies are limited in their ability to reduce criminality and crime in a community. The source of the problem lies beyond the reach of these agencies. There is no question as to the reasonableness and efficacy of a unified court, both from an administrative as well as sociological viewpoint. However, it would be fatal for Detroit to believe that the mere setting up of the organization has solved its problem. So long as the public focuses its attention upon the

Crime	January 1 through July 31					
	1916	1917	1918	1919	1920	1921
Breaking and entering business places....	620	745	605	615	776	252
Breaking and entering dwellings.....	913	824	686	852	755	260
Larceny from person	632	548	372	450	304	245
Robbery.....	226	465	276	358	621	225

Now it happens that the Police Department has been unusually active and alert since November 1920, but it is also true that the support given the police by the court has been an added incentive to the former to exert every effort to keep Detroit free from criminals and crime. Let who will draw conclusions.

court and selects a personnel that will take advantage of a superior form of organization and of the modern conception of a court's function, just so long and no longer will progress be made. The real test for the Detroit courts will come in the next few years when the new court organization becomes a habit.

look for such inquiries are just the men who cannot afford to go forth on such expeditions at their own expense. Consequently text books and propaganda are written on the flimsiest hearsay, and many problems are never studied at all.

If the facts were assembled, however, there would still remain the question of what to do with them, how to advertise the conclusions which the facts compel, and convey the material to legislators and local reformers at the opportune time backed by political pressure and popular support.

At present there is the National Municipal League with 2,500 members and an irregular list of civic clubs, municipal associations, bureaus of municipal research and chambers of commerce doing some civic work scattered through the larger cities. Also a few small state societies like the New York State Association and the California Taxpayers' Association. For most cities and all but two states, there are no citizen bodies that could take up and utilize the facts as to the workings of our democratic mechanism even if the facts were available!

THE PROPOSAL

So the task is to create an organization that will

(1) Supplement the current style of indoor research with abundant field study of the *actual working* of our devices of popular government, and

(2) Do something effective with the information without letting it gather dust in reference libraries.

It is proposed, therefore, to develop a central national association based on a nucleus consisting of the National Municipal League's 2,500 members united, perhaps, with the American Civic Association's 1,800 members. Total after eliminating duplications, about 4,000.

These two societies are 27 and 17 years old respectively and have together an income of about \$50,000 a year.

To this should be added at least \$50,000 more annual revenue, and preferably \$100,000. The attached list of new projects that can be and ought to be undertaken totals over \$100,000, but it could not all be organized in the first year. It comprises a program parts of which would take several years for completion. It is not by any means a complete list of even the immediate needs.

Preliminary steps have already been taken.

The National Municipal League has always been a useful clearing house of such information as could be gleaned by mail from the political reformers in the various cities. It held an annual convention of civic secretaries, research bureau members, etc., and published the NATIONAL MUNICIPAL REVIEW, which reported the news of reform work. (This work still goes on.) It has done little original research, and it did no propaganda except to answer inquiries.

During the last two years under the invigorating interest of its president, Charles E. Hughes (now, unfortunately, resigned in mid-term to become secretary of state), the League has been occupied as follows:

A. *Propaganda Work.* Absorbing the Short Ballot Organization and taking over and enlarging its campaign for the city-manager form of government.

Pamphleteering; e.g., to legislatures and governors readministrative reorganization.

Furnishing volunteer and paid speakers for various subjects.

Insuring material to the press, e.g., a set of fifteen articles to 1,000 newspapers on the city-manager plan.

Rendering all manners of assistance to college classes, charter committees, campaign committees and civic organizations.

B. *Technical Service.* Twelve tech-

nical pamphlets have been issued and circulated as supplements to the NATIONAL MUNICIPAL REVIEW.

An expert charter draftsman, Dr. A. R. Hatton, has been kept in the field

WHAT THE NATIONAL LEAGUE COULD DO WITH \$100,000

Proposals for Additional Expenditures

1. For putting more people into touch with modern political reform principles and progress:	
(a) By improving the NATIONAL MUNICIPAL REVIEW as follows:	
Employ—a trained editor	\$6,000
Employ—a field reporter and pay expenses	7,000
Adopt illustrations and	
Drive circulation up with educative results in mind and a large free list to newspaper editors	20,000
(b) Reduce the price of the REVIEW to \$3 (now \$5)	
(c) Revive the newspaper clipping sheet service supplying the press with articles, news and facts for editorials on political reforms about twenty-four times a year. Edited by REVIEW staff	6,000
(d) Organize state chapters with local address and letterhead, as in New Jersey, for pressing for concrete legislation wherever opportune, and for presenting League principles to constitutional conventions. No local dues, or rent, or payroll, but service by League field secretaries subject to the local governing committee	5,000
(e) Paying for articles written on our subjects by trained magazine writers for general magazines from raw material gathered by research bureau men	2,000
(f) Popular pamphlet service. A series of pocket-sized propaganda pamphlets like our "City Manager" pamphlet for wide circulation, for use in school civic classes, college courses. Written by experts free, edited by REVIEW staff, partly sold, partly given away, like our "City Manager" pamphlet, which goes out at the rate of 5,000 a month. Sent free upon first issue to chambers of commerce, civic clubs, etc.	
Net overhead and first investment	5,000
2. Technical service to guide local workers and legislators to head off amateurish and uninformed efforts and substitute sound reform work:	
(a) Extension of our technical pamphlet series to cover our whole present field	5,000
(b) A new pamphlet series of "Studies on Municipal Administration," prepared to our order by various bureau of municipal research and successful officials	10,000
3. Personal field service:	
(a) Field Secretary on City Planning and Zoning, net	5,000
(b) Field Secretary on Franchise Problems net	5,000
(c) Assistant Field Secretary on Charter Drafting net	3,000
(d) Three Campaign Secretaries for City-manager Campaigns, net	3,000
4. Research in Problems of Democracy:	
(a) Organize, direct and pay travelling expenses for field work, so that college professors of political science, in summer, and post-graduate students can address themselves to problems which we want worked on. Printing of the successful studies	10,000
5. General overhead—Rent, etc.	5,000
6. Committee Secretaries:	
(a) To secure full benefit of our volunteer talent	6,000
Total	\$103,000

writing charters for various charter commissions, *e.g.*, Atlanta, Memphis, New London, Canton, New Haven, Kansas City and the Indiana state-wide optional charter law.

The League's model city charter has been supplied to charter committees, and has been widely copied by them in part or in full, frequently verbatim for many sections. The new Sacramento charter, for instance, accepts every principle of the model.

Charters are received for expert detailed criticism by Dr. Hatton.

Complete state reorganization plans were drafted by the League in 1921 for Arizona and Tennessee at the request of state officials, who accepted them and pressed them vigorously for passage. (Both defeated by very narrow votes, but will come up again.)

Incessant inquiries on all sorts of subjects are carefully answered with the volunteer aid, when needed, of expert members of the League.

C. *Research committees* of the League ready with final reports on the following subjects:

- New Sources of Municipal Income.
- Technique of Special Assessments.
- A Model Election Law.
- A Model Municipal Pensions Law.
- A Model Municipal Bond Law.
- A Model State Constitution.

WHAT HAS BEEN DONE

This expanding National Municipal League has taken important steps looking toward a bold enlargement.

It has made its NATIONAL MUNICIPAL REVIEW the official publisher for the American Civic Association, the Governmental Research Conference, the National Short Ballot Organization and the City Managers' Association, and has absorbed the *Equity* magazine. It has established a semi-consolidation with the American Civic Association,

J. Horace McFarland, president, looking toward complete consolidation under a new name later, and meanwhile saving some duplication of effort and expense.

It is at work in co-operation with the League of Women Voters to forestall duplication of work and to furnish both technical help and popular material.

Further desirable consolidations are a probability.

The stage, then, is all set and the consent of all parties is available. The experimental and tested personnel of the two societies is competent for the work and indeed constitutes the group on which anyone who started such a crusade would necessarily depend for technical aid and authority. In the following general scheme of expenditures (for which exact estimates are impossible) there is nothing that the National Municipal League or the American Civic Association have not done already in principle, though in a very limited way.

CONCLUSIONS

Civic work of this scientific-propagandist character is an acquired taste. It has no heart appeal and few friends with money. If we would cut out the science and make a lurid one-sided appeal for the direct primary, for example, in headlong disregard for any inconvenient facts, we would draw supporters and funds, but a sober revelation of the facts pro and con with technical proposals for correction of certain basic evils is too cold-blooded a process for most people!

Hence, we wait on funds!

Yet here in America is the greatest experiment in self-government the world has ever seen, with experimentation still going on and nowhere nearly finished—and the experiment is being conducted practically in the dark!

EXTENT OF THE HOUSING SHORTAGE IN THE UNITED STATES¹

ITS ECONOMIC AND SOCIAL EFFECTS; RESOURCES AVAILABLE IN DEALING WITH IT

BY JOHN IHLDER

Manager, Civic Development Department Chamber of Commerce of the United States

Has America gone over to lower housing standards under pressure of house shortage? And what will be the social consequences if lower standards prevail? :: :: :: :: :: :: :: ::

TO-DAY we hear comparatively little about the housing shortage, except from legislative investigation commissions. Tenants associations, many of their members out of work, are much less vociferous; employers have other troubles to occupy their attention. Yet the housing shortage is probably even greater than it was in 1920, and the deep-seated economic and social consequences of that shortage are having their effect day by day now as they were then.

Aside from the psychological effect of slack times, which makes men put up with conditions that in prosperous times they would consider intolerable, there has gradually taken place an adjustment to conditions. What housing workers feared and prophesied has taken place. The people of America are accepting a lower standard of living. According to our pre-war standard of living we are probably a million and a quarter houses short. According to the standard we are beginning to ac-

cept as a new normal, the shortage is much less.

You will note that I say "probably" in estimating the shortage. This is because there exist no statistics in America which enable us to do more than make a very loose estimate. Practically none of our cities know definitely what their housing shortage is. Last year nearly all were persuaded that it was serious, because every real estate firm had long lists of applicants and because expanding industries were unable to secure employes, as the latter could get no dwellings for their families. To-day many cities are persuaded that their housing accommodations are ample, because the waiting lists in the real estate offices have diminished and business firms are not expanding. Yet our population is growing faster than it was a year ago, due to the increase of immigration, temporarily checked by the new law.

FEWER ROOMS—MORE BATHTUBS

Apparently what has occurred and is now occurring is that existing accommodations have been and are being subdivided, each family accepting far less than it occupied in pre-war days. An intimation of the extent to which this lowering of our living standards

¹This article, which takes account of the changes between the fall of 1920 and the spring of 1921, was read before The National Conference on Social Work, Milwaukee, June, 1921. It is interesting to note that since it was written another swing of the pendulum has begun, that its prophesies seem on the way to fulfillment as economic conditions improve.—Ed.

has gone, is given by the industries which supply bathroom fixtures. It is common knowledge that last year, 1920, saw the smallest amount of new residence construction that we have had in many years, estimated at less than 100,000 dwellings as compared with a pre-war normal of approximately 400,000. Yet last year the demand for enameled iron bathtubs taxed the ability of the producers, and 617,000 were sold. Back in 1912 this number was approximated, but it never has been equalled. Other bathroom equipment; lavatories, sinks and small ware also reached new record heights in 1920.

The explanation, of course, is that many thousands of single-family dwellings were converted into multi-family dwellings. Anyone who knows much about such converted dwellings knows that, aside from the economic and social loss which follows the removal of a family from a home to even the best apartment, converted dwellings are usually unsatisfactory. Seldom do they provide adequately for light, ventilation, privacy, or protection against fire.

The figures I have given are indicative of the change in manner of living which has come to the large so-called middle class in America, the group which demands the means for personal cleanliness but can not afford the more expensive potters' output. They are the ones at whom our "Own Your Home" campaigns are mainly directed. They are now, by the tens of thousands, settled in makeshift apartments, and with every day that goes by are becoming more and more habituated to this cramped method of living.

The housing shortage probably has hit the members of this group harder than any other and, through hitting them, it is most significant of permanent change for the worse in America,

for it is not the rich, who can care for themselves despite the high prices, nor the poor, but it is this group who set American standards, who give us our norm by which we measure, to which we hope to raise all our people.

HOW THE POOR ARE AFFECTED

As for the poor, in whom we here to-day are primarily interested, the housing shortage, while it has affected them, while it has increased their discomfort, has not made such a marked change in their manner of living. For them, too, there have been provided many converted houses—without bathtubs even of enamelled iron. But they were accustomed to cramped quarters before the war. For them there always has been a shortage of good houses. Before the war, however, we were making noticeable progress in improving the dwellings of even the casual laborer. Bad as the most congested districts of our cities were in 1916, they were far better than they had been twenty-five years before. States and cities, their number increased with every year, had adopted housing regulations and were enforcing them more and more effectively. The old saying that the worst burden of the poor is dirt, was by the way of becoming antiquated. Sewers and water mains were being extended in the old neglected areas and houses were being connected. There were a few cities where privy vaults had been banished and where every house had running water. In others notable progress was being made; Philadelphia, for example, was abolishing privy vaults and substituting sanitary flush toilets at the rate of 7,000 to 8,000 a year.

The hardest fight was against overcrowding, for here we have to combat the shortsighted thrift of those we

would aid. A dollar saved is a dollar earned, and the dollar was the standard of values. So families crowded into two rooms, who should have had at least four or five, and others took in lodgers, thinking only of added income and not at all of the moral well-being of their growing children. Rents were based not on value given, but upon ability to pay. Two small apartments brought more than one large one, so the landlord, quite as shortsighted as his tenants, encouraged rather than discouraged this overcrowding, and when his tenants misused the property or decamped with rent in arrears, he inveighed against them individually and as a class, without suspecting that he had some share in forming their moral standards.

When the war came, immigration practically ceased, wages went up. For the alien colonies this meant a change for the better. They could afford better dwellings, and they moved. For a time in 1918 and 1919 our lower east sides and our river wards were less densely populated than they had been within the memory of man. The worst houses and apartments stood vacant, their old occupants gone to better neighborhoods, while the stream of newcomers was dried up at its source.

In the negro districts, of course, the opposite condition prevailed. Migrants from the south crowded these districts beyond belief. Then came the great war movement of native whites to the war industry centers, until in them every room in every house which would take a wage-earner was filled, while in non-war industry centers, like St. Louis, there were many vacant houses until the government began to give out contracts in accordance with housing accommodation.

This urban house overcrowding continued with comparatively little miti-

gation during 1919 and the greater part of 1920. Since then the business depression has undoubtedly caused a reverse migration of considerable proportions back to the smaller towns and to the country. But there is no evidence that this has been comparable in size to the war migration. Consequently, the cities are still sheltering in some fashion a much larger population than they had five years ago, and that with a very slight increase in housing accommodation.

One interesting feature of the present bad housing situation is that we get very little of our information concerning it from social agencies—which used to be our main source. What we do get is from health departments and police surveys. A probable explanation is that the present bad housing bears hardest upon a different group of the community, one with which our case-working agencies at least have so far had little contact. Even with the resumption of immigration it is a question whether conditions in the poorest districts are worse than they were in 1916—except, of course, for higher rentals. But meanwhile we have developed a new poor, a group heretofore beyond the need of outside help such as our case-working agencies give, and still living upon the savings accumulated during the period of high wages. It is only in cities like Philadelphia where there are housing agencies, that the significance of what has taken place, and is taking place, is appreciated. There the Housing Association has fought consistently against a lowering of standards and, despite the pressure of the profiteering landlord, prevented official sanction until this winter, when the law was weakened to permit of more easy conversion. The only comfort is that now the pressure is somewhat relieved, new building is about to be resumed and conversion conse-

quently will be only a fraction of what it would have been a year ago.

SOCIAL CONSEQUENCES OF OVER-CROWDING

Housing associations during these past two years have been faced with a hard choice, a choice between two evils. House overcrowding, the taking in of lodgers, has from the beginning presented their most baffling problem, because it appealed to the cupidity of both landlord and tenant. With the housing shortage and the virtual cessation of building for people of small means, housing workers had to decide between a temporary truce in their old battle or acceptance of the converted house. Most of us, I believe, decided on the temporary truce. Bad as it is to have two families living in a house designed for one, we believe that the discomfort of such living will, in the majority of cases, bring it to an end as soon as an adequate number of houses are provided. But once the single-family house has been converted into apartments or tenements, the change is permanent. Not only will the converted dwellings remain what they are, but they set a new, lower standard for the neighborhood. The new dwellings of the future, then, must of necessity be tenement houses, and before long the character of the whole city will be changed.

The title of this paper links social and economic effects together. They always are linked in life. So social workers must be students of economics. One prominent social worker said to me not long ago that he has been impressed with the fact that a great part of social work to-day is due to mistakes made in the past because a temporary expedient or a half thought-out solution had failed to solve. In housing, this certainly is true. We are faced

with such facts as these, due to house and room overcrowding.

In one large eastern city, where the negro migration caused very great overcrowding, the number of illegitimate children among the negroes increased to such an extent that the agencies dealing with it were swamped. In a middle western city, Cleveland, a health survey last year showed that the number of illegitimate births in the first six months of 1920 increased 100 per cent as compared with the number in the first six months of 1919.

This is a condition that can not be ignored. Like the death rate, it is an outstanding and measurable thing, but also like the death rate, it is indicative of a menacing condition which can not be accurately measured. The exact relation between death and disease has not been definitely established, but it is not improbable that sickness from which the patients recover more or less completely causes as much loss as do preventable deaths. So illegitimate births are indicative of a loss through lowered morality that affects us in a thousand ways beside those which find sexual expression.

NO COMPROMISE WITH LOWER STANDARDS

Accepting this as fact and accepting also as fact that both physical and moral disease may be somewhat lessened by subdividing our houses and so giving each family a certain degree of privacy, should we adopt this expedient? Some of us believe we should not. We believe it is better in the long run to struggle as effectively as we may during the period of shortage with the undivided house and devote our constructive efforts to securing really good houses than to accept a compromise which will be permanent.

In this our policy runs with con-

structive industry. Those who add to the wealth of the world, whose work goes to raise our standard of living; the builders, the manufacturers, the laboring men, all have long time interests, both direct,—through increased demand for their services, and indirect—through greater efficiency, health and joy in living, that runs with this policy. To be sure many of them, like many social workers, are unable to see the long run because of their interest in the spurts of the moment. An immediate job on a tenement house today may blind a builder to the fact that he is killing ten jobs on single-family houses. Many of the manufacturers of bathroom equipment rejoiced last year over the unprecedented volume of their orders. This year they are mourning, for orders have fallen from 617,000 to a rate of only 326,000. And for the whole future their market will be narrowed because of last year's good business.

In fact, the only persons who have permanent reason for rejoicing are owners of vacant land or of obsolete buildings in the districts that have become tenement house districts. The value of their land has been multiplied; their buildings may be converted. But owners of good residences in these neighborhoods see the value of their houses go down, more than enough to wipe out any profit from increased land value and owners of outlying land will wait years longer for the coming of purchasers, because the population will be crowded into multiple dwellings.

As for the resources available in dealing with our housing shortage, there has been a change of considerable moment since a year ago. Then there was a demand which taxed supply for materials, labor, money. To-day we have potentially adequate supplies of all for as much building as we can do. To be sure, many plants have shut down and, if building does not begin

soon, they may go out of business permanently. The cost of money is still high. The cost of labor in many places and of some materials is still high. All of these, coupled with the expectation that costs¹ will reach a lower basic level in the near future, are holding up building at present. But indications are that the period of waiting is nearing its close.

Prices will not go down to pre-war levels. But that is not essential. What is essential is that they become stabilized, so that a house erected today will not have to compete with as good a house erected at smaller cost five or ten years hence. To this new price level we shall adjust ourselves.

Meanwhile we must maintain our housing standards, as these are expressed in brick and mortar, in type and plan of building. We must secure the enactment of more good housing codes and the strict enforcement of present codes. For, if we lose on these, it will take us generations to recover.

One other word, necessary because there is such widespread misconception. The good house, the single-family house, is the least expensive house. Many people believe that the tenement or apartment house means lower rents, and, faced with a serious economic problem, they favor this type of building while admitting its social disadvantages in the way of physical health, morals and race suicide. It is not cheaper. It is more costly in dollars and cents. Rents for inferior accommodations are higher in tenement-house cities than in small-house cities, in brick New York and in wooden three-decker Boston, than in Philadelphia, in tenement-house Paris and Berlin than in London.

¹ Even railroad freight rates on some building materials have been reduced since this article was written.

DEADLOCK IN PUBLIC UTILITY REGULATION

III. INEFFICIENT SERVICE

BY JOHN BAUER, PH.D.

Public Utility Consultant, New York

Public service commissions have been followers rather than leaders. They have been too complacent at the people's expense. With few exceptions, they have done nothing to improve service or lower rates by developing better technical processes. :: :: :: :: ::

PREVIOUS articles in this series showed the fundamental difficulty of rate regulation to be that the commissions have not formulated exact policies and methods, that they have not determined definitely the amount of investment entitled to a return, and have not provided the machinery by which rates can be readily adjusted upward or downward according to changing conditions and requirements. The procedure is so cumbersome that prior to the war, except in comparatively few instances, rates were not reduced to the public with the cost of service; during the war they were not increased as they should have been to take reasonable account of extraordinary costs; and now with the ensuing price deflation they will not be diminished in accord with falling costs. The unwieldy practice on the one hand has failed to protect the public as was expected, and on the other has caused invisible confiscation by not granting rate increases when needed and particularly by destroying the credit of the companies.

RATES SHOULD HAVE BEEN LOWERED

The deadlock of regulation, however, applies not only to fixing and maintain-

ing reasonable rates, but also to requiring proper service. Besides fair rates, the commissions were intended to secure for the public the best possible service available under progressive standards of efficient operation. They were expected not only to require the companies to furnish adequate service, but to investigate methods of operation and to establish up-to-date economical management. In this they have failed signally; except in relatively few instances they have done nothing for the real improvement of service, such as requiring the retirement of antiquated or unsuitable plant and equipment, installing modern facilities, ordering reorganization of management, eliminating duplications and unjustified overheads, and particularly procuring economical purchase and use of materials.

The commissions are thus guilty of double neglect in the matter of rates: (1) for not providing effective machinery for direct rate making and (2) for not ordering changes in operation which would have resulted in reduction in costs to make possible the lowering of rates. I am convinced, for example, that in the state of New York, if the commissions had acted vigorously in procuring economical operation, they

could have reduced the cost of service on the average by 15 to 25 per cent. Besides their direct neglect in maintaining reasonable rates, they have not brought about large reductions in rates as they might have done, if they had exercised reasonably the duties and responsibilities entrusted to them as public bodies.

There is, of course, no definite statistical basis to show the extent that rates might have been reduced if the commissions had exercised their duty in establishing practicable economies. But among qualified technical men, who are thoroughly acquainted with the industries and who have been in close contact with regulation, the estimate of 15 to 25 per cent would be considered conservative, and that the reasonably possible reductions are considerably greater. The technical knowledge available for the reduction of costs has advanced with leaps during the past twenty years, but has been put to practical application only at snail's crawl. The companies are continuing to use out-of-date plant and equipment, to employ antiquated processes, to use unsuitable materials, and to continue waste motion and duplications.

The commissions, indeed, have been blissfully ignorant of the larger possibilities of efficiency. With few exceptions, they have neither investigated the technical processes employed by the companies, nor have known what better arrangements were available. Their technical staffs, to be sure, have understood more or less clearly the possibilities of improvement, but this has remained mostly a mental state, which has not reached the official commissions and has not resulted in action for improvements and reductions in costs.

THE CHICAGO GAS SITUATION AN EXCEPTION

There have been, fortunately, isolated instances where the commissions have shown by direct effort what might be done in the improvement of service and consequent reduction in costs and lowering of rates to consumers. A noted case is the investigation in 1918 of the production and distribution of gas in the city of Chicago. When the conditions of operation had reached a state threatening the financial collapse of the company, the public utility commission of Illinois instituted a thorough investigation, found a surprising lack of up-to-date facilities and methods, and finally succeeded in introducing improvements which resulted in a large decrease in costs and, if not in a direct reduction of rates, at least in preventing a 15 to 25 per cent increase. Moreover, incident to this investigation and to the direct effort to establish better conditions, there has been created a co-operative disposition between the commission and the company which has resulted in continuous economies, and in a better feeling between the company and the public.

For the most part, however, the commissions have permitted the out-of-date methods to continue and have disregarded their larger duties to the public. In gas and electric production, the companies are using generating plant and equipment which either are out of date or produce in too small units for economical output. In street railway operation, there is not only the excessive power cost, but the cars are antiquated and unsuited to their purpose. The commissions have done practically nothing toward investigating the possibilities, for example, of the light one-man cars, which promise to reduce cost in every direction—in the use of power, main-

tenance and depreciation, and particularly in cutting down the expense of labor. In most cities the old, heavy, two-men cars are continued, as are other unjustified processes, while at the same time the five-cent fare has been overwhelmed by the high costs of operation.

OBSOLETE STANDARDS CONTINUED

There are also other important phases of neglected economy which do not pertain directly to the best methods under existing conditions, but involve the conditions themselves. To illustrate, in New York the statutes prescribe a standard of twenty-two candle power for the delivery of gas to consumers. This requirement was fixed in the law for the protection of consumers, at a time when the regulation was probably justified by the then preponderant use of gas for lighting and the character of the "burners" available for illumination. But gas now is used chiefly for cooking or other purposes in which heat and not illumination is needed; moreover, the heat standards are now readily applied also to lighting by use of special burners. The twenty-two candle power standard, therefore, is antiquated and, at present prices of oil which it requires, places utterly unjustified costs upon production. Gas engineers are agreed that the heat unit should replace the candle standard, which would mean an immediate reduction in cost at present prices of oil amounting at least to fifteen cents per thousand cubic feet of gas.

Now, in face of the fact that the candle standard is out of date and grossly uneconomical, the commissions have done practically nothing in bringing the situation clearly before the public and asking the legislature to change the law. The supposed pro-

tection of the candle power required is actually an imposition of excessive costs upon the public, and the larger duty of the commissions was to establish real protection. Similarly in other classes of service, the facts showing what should be done are not determined and positive action for improvement is not taken. What have the commissions done in finding the proper place of the "jitney" in local transportation and in working out a desirable policy for use of electric railways and motor buses? What have they accomplished in requiring co-operation between independent companies for more efficient production? In large cities, the elimination of small isolated companies with high operating costs? In larger systems, the simplification of the confusing and excessively costly inter-corporate relationships? In the establishment of proper labor policies? In any large matter which means improvement of service?

Instead of being positive factors in establishing better methods, there is indeed ground for argument that the commissions have actually retarded progress,—that advance in operation would have been greater without commission control, and that costs would be lower. This would be due in part to the strangling of credit which has prevented the companies from financing desirable improvements, but more particularly to the fact of rate restriction itself which has interfered with the normal and controlling force for progressive economical operation—taking away the hope of profits from skillful management.

PROFITS ELIMINATED—NO OTHER INCENTIVE DEVELOPED

In unregulated business, one of the principal factors of progress is, of course, the opportunity of greater

profit. In well-conducted business, operations are constantly studied with the purpose of lowering the cost in proportion to output and sales. There is constant investigation of plant and equipment to eliminate the antiquated and install the most economical for the lowest cost of production. This includes the location of the physical facilities, the routing of the processes, and the effective use of labor and materials consistent with quality and price. There is constant study of the financial organization, the interdependence of departments, the co-operation between the human elements, to keep overhead costs to an economic minimum and to stimulate productive activity to a maximum. This requires unremitting effort, which is sustained by the hope of profits and is rewarded by the greater gains of the business.

But the fact of rate regulation itself tends to eliminate the profit element of efficient management. The general policy is to restrict the return to a fair rate on the investment, and to the extent that this is consistently carried out in practice, the hope of gain to the company from progressive improvements is manifestly destroyed. If costs are reduced through skillful management, this would result in a corresponding reduction in rates to the consumers, and the company would get no greater return. With the reward thus eliminated, the management tends to continue on a dead level, putting into effect only such economies as can scarcely be avoided, not devoting serious efforts to such investigation and study as would characterize a private business in keeping improvements to a maximum.

That rate regulation has had such direct retarding influence upon operation is undoubtedly true, but the extent cannot be measured accurately or even approximately, and is easily exagger-

ated. For one thing, as complained in previous articles, regulation has not been at relentless attention to reduce rates at every possible occasion. While on paper it was expected to get for the benefit of consumers constantly the lowest possible rates, actually it has followed reductions in cost only tardily and partially, so that with improvements the companies have not been kept down to the bare bones of mere interest on investment. They have been able to get the benefit of a large proportion of the savings of management where such gains were actually realized.

Moreover, efficient management does not depend solely on the hope of direct financial reward; there are other fundamental factors of progress. Most of these, however, are of such intangible character that they are beyond the scope of this article and will not be further considered. But with all due allowance, rate regulation has undoubtedly produced a widely held feeling that vigor for the improvement of operation is not worth while, and the companies have unquestionably not maintained the greatest zeal to keep the business to the maximum possibilities of scientific operation. A wide-pervading psychology has tended to keep operation on a dead level, permitting the continuance or even the accumulation of undue costs in proportion to the possibilities of sincere and reasonable effort by the operators.

If it is true that rate regulation has had a substantial influence in retarding the development of economical management, the commissions should have exercised all the more their duty to keep track of operation and to require directly the installation of modern facilities, the employment of the best processes, the use of the most suitable materials, and the elimination of unjustified expenses. They should have

been constantly engaged, just as the leaders in private business, in examining the methods used by the companies and determining what, in fact, are the best practices, and then insisting upon all desirable changes. They should thus have kept informed of the progress of invention and have been constantly concerned with the practical application of scientific advance, acting as a clearing house of progress, enabling all the companies to install the best methods without vast duplication of investigation and experiment. They could doubtless have performed this great service chiefly through tactful co-operation with the companies, without direct use of authority, but if not they should have required outright the installation of the best plant and equipment and the use of the most economical processes of operation.

WHAT THE COMMISSIONS CAN DO

In justification of the inaction in these important matters of operation, it may be urged that, except as to ordering necessary service, the commissions for the most part have not had the legal power to interfere with operating methods. The actual management, it may be argued, was reserved to the companies, not subject to regulation. It is of course true that the commissions have not always had enough power to act adequately in matters of operation, and particularly have not been vested with the direct duty of requiring the companies to install the best facilities and most effective processes. Unfortunately, in some cases where they have sought to perform their larger duties in requiring economical service, they have met legal obstructions and tactical obstacles to frustrate their efforts.

But, with due allowance for lack of power, the clear purpose back of

all public utility legislation has been, unquestionably, to get for the people reasonable service at the lowest possible cost. For this purpose, the commissions have been endowed particularly with broad powers of investigation, being free to examine almost without limit the plant and equipment and the technical processes, and to determine in what respect these matters are below the best practicable standards. With such determination of facts, they could have obtained the desired improvements, in most instances through suggestions, pointing out clearly where economies may be instituted, and indicating a helpful disposition to bringing them about.

But even where commissions have not had final power to order desirable improvements and cannot obtain the voluntary co-operation of the companies, they can employ the pressure of publicity by placing the facts clearly before the public and awaiting the reaction upon the management. In any event, however, they are not absolved from the fundamental responsibility of procuring reasonable service at the lowest possible rates, and if they cannot obtain practicable efficiencies through co-operative ways or force of publicity, they should place the facts squarely before the legislature and ask for requisite power to deal adequately with the situation. They are intended to be expert bodies not only to administer the specific terms of the law, but to carry out its spirit, and to make recommendations where the law should be changed for the public interest.

The commissions are inevitably the repository of the public interest and are responsible for the development of desirable policy in a difficult technical field of economic service. They cannot dodge responsibility for their woeful neglect by pleading lack of specific power under the law.

STATE BUDGET PROGRESS

BY A. E. BUCK

National Institute of Public Administration

Only two states are to-day without budget systems in some form. But the successful operation of these systems is a horse of another color. A distinguished authority on budget methods here reveals where they have fallen short. :: :: :: :: :: :: :: ::

If we are to consider the mere passage of budget laws as the end to be sought in the planning and control of state finances, then we have certainly made rapid progress. It was only ten years ago that the first state budget law was enacted in Wisconsin. Since that time forty-five other states have enacted laws providing for the establishment of more or less satisfactory budget systems. The two remaining states, Pennsylvania and Rhode Island, are seriously contemplating the enactment of budget laws. Thus, the idea of having a budget system established by law has within a decade been almost universally accepted among the states.

But to a somewhat experienced observer of the actual working of state budget systems, it is apparent that we have not progressed very far. A large majority of the states are no better off from the standpoint of financial planning and control than they were before they provided for the establishment of a budget system. The system in some instances does not operate. Although very good laws are on the statute books, the state officials shrink from the work and responsibility required to put them into operation. In other instances, the system is wrecked by factional strife within the legislature or by political differences between the administration and the legislature. In still other instances, where honest at-

tempts are made both by the administration and the legislature to carry out the letter of the budget law, failure has resulted mainly because of the ramshackle organization and poor business methods of the state. So that while a particular state may have a perfectly good budget law in force, its operation may amount to little or nothing because state officials disregard its provisions, or on account of political squabbles, or because of the poor organization of the state's governmental machinery.

While some legal provisions are necessary for the establishment of a permanent budget system, the budget law is not everything. It does not work automatically; it is merely the legal authorization to use scientific planning in financing and conducting the work of the state government. Willingness and enterprise on the part of the public officials and properly organized governmental machinery are necessary to carry it into operation. Given these conditions a state may have a satisfactory budget system without a budget law.

I. RECENT STATE BUDGET LAWS

In an article printed about two years ago (*NATIONAL MUNICIPAL REVIEW*, August 1919, pp. 422-435) the writer covered briefly state budget progress up to that time, as it related to an

analysis and comparison of the state budget laws, particularly those belonging to the executive type. Since that article was written, seven states have been added to the list of those having laws establishing permanent budget procedure, namely, Delaware, Florida, Indiana, Michigan, Missouri, North Carolina and Texas. Of these states Delaware (1921), Indiana (1921), and Missouri (1921), belong to the executive type, the governor being responsible for the budget proposals; while Florida (1921), Michigan (1919), North Carolina (1919) and Texas (1919) belong to the board type, a board composed of administrative, or administrative and legislative, officers being responsible for the budget recommendations. Recently New York and Oregon have changed to the board type. So that, classified from the standpoint of legal provisions, there are now twenty-four states with budget systems of the executive type; twenty-one states with budget plans of the board type; and one state—Arkansas—with the legislative type of budget.

NEW BUDGET LAWS

Delaware, which has had a law since 1917 providing for a temporary budget system, enacted this year a law providing for a permanent system. This law is a mixture of the Virginia and Maryland budget provisions, resembling more closely the Virginia plan. The governor is required to submit to the legislature a single appropriation bill along with his budget plan. Provisions are made for bringing the governor-elect into touch with the preparation of the budget. Procedure in the legislature on the budget follows that of Virginia. While there are no restrictions placed on the power of the legislature to change the governor's appropriation bill, the legislature is required to desig-

nate or provide sources of revenue to meet whatever supplementary appropriation bills it may pass. One rather unusual provision is the requirement that in case the legislature has not acted on the governor's appropriation bill by the fiftieth day of the session, it must then consider this bill to the exclusion of all other measures until passed. All continuing appropriations are repealed. The governor is authorized to secure assistance in the preparation of the budget.

The Florida law constitutes a budget commission consisting of the governor, comptroller, and treasurer. The manner of preparing the budget and the legislative procedure set forth in this law resemble rather closely the Virginia law. The legislature is unrestricted in its action on the budget. The governor is authorized to employ assistants to help the commission in preparing the budget.

While the Indiana law makes the governor responsible for the final budget recommendations to the legislature, it provides that the state accountant of the state board of accounts shall do the budget-making work and that his board shall make preliminary recommendations to the governor. A newly elected governor is given twenty days after his inauguration to submit the budget to the legislature. The governor must submit an appropriation bill to the legislature along with the budget. No legislative procedure is prescribed in the law. It is interesting to note in this connection that the legislature which passed this law refused to take any action on a proposed budget amendment (copied from the Maryland amendment) which had passed the preceding legislature. This was mainly due to the fact that it placed restrictions upon the power of the legislature to increase the governor's budget proposals.

The Missouri law creates a department of budget under the governor which acts not only as a budget-making agency, but as an agency of general administration. The governor is responsible for the budget recommendations to the legislature. Nothing is said about legislative procedure. Since this law was passed referendum petitions of sufficient number have been filed in the office of the secretary of state to prevent it from becoming effective until voted on by the people at the general election in 1922.

The administrative code recently passed in Ohio repealed the budget law of 1913, and constituted a department of finance with budget-making powers like those of the Illinois department of finance. There is a superintendent of budget in this department at an annual salary of \$4,000, whose duties are similar to those of the Illinois superintendent of budget. The budget procedure is practically the same as in the case of Illinois.

An Oregon law passed this year, repealed the 1913 budget law and constituted the state board of control, consisting of the governor, secretary of state, and treasurer, a budget commission. The secretary of state is made responsible for the actual budget-making work. The budget recommendations of the commission as submitted to the legislature are "merely informative and advisory."

The 1921 legislature of New Mexico passed a joint resolution proposing to write into the constitution a state budget procedure. This proposal (No. 6) is to be voted on along with several other proposals at a special election to be held September 20, 1921. It provides that the regular sessions of the legislature shall begin on the second Tuesday in February, a month later than at present, and shall not exceed sixty days. The estimates and other

budget information must be submitted to the governor by January 15, preceding the regular session of the legislature. By the twentieth day of the session the governor must submit the budget to the legislature and along with it a single appropriation bill containing all the appropriations proposed in the budget. The governor may amend the general appropriation bill after it has been submitted to the legislature, or he may recommend supplementary appropriation bills. The general appropriation bill is to have priority in the legislature over all appropriation bills initiated by members of that body, except that the legislature may provide for its own salaries and expenses. The legislature is restricted to striking out, or reducing items, in the general appropriation bill, excepting it may only increase the items relating to the judicial department. While this last provision resembles that of the Maryland amendment, the effect of the entire proposal is quite different. The power of the legislature remains practically unlimited with reference to the passage of special or supplementary appropriation bills.

CHANGES IN EXISTING BUDGET LAWS

Several states have made more or less important changes in their budget laws during the present year. Under Governor Stephens' plan for regrouping the California administrative agencies, the state board of control, which since 1913 had prepared the budget, was made the head of the new department of finance. One member of this board will now have control over the budget-making work, and the board as a whole will determine the budget recommendations. Idaho created a bureau of budget in the office of the governor which will act as the budget staff

agency to the governor. Michigan created a state administrative board, composed of the governor, secretary of state, treasurer, auditor, attorney general, highway commissioner and superintendent of public instruction, which assumes the duties of the budget commission and budget director created in 1919. Slight changes were made in the Montana law relative to the form and contents of the budget. The Nevada budget law of 1919 (copied from the Maryland amendment) was repealed by a new law which removes all limitations on the power of the legislature to change the governor's budget proposals. A New York law creates a board of estimate and control, consisting of the governor, comptroller, and chairmen of the senate finance and assembly ways and means committees, which has control over the preparation of the budget advisory to the joint budget committee of the legislature. This board also controls state purchasing and certain departmental expenditures. North Carolina largely nullified its budget law by amending it last year so that it does not apply to current expenses of the legislative, executive, and judicial departments. Utah recently created a department of finance and purchase under the governor which acts as the governor's staff agency in the preparation of the budget and which has wide supervisory powers over all the state's administrative agencies similar to those exercised by the Illinois department of finance.

II. OPERATION OF STATE BUDGET SYSTEMS

Henceforth we need to lay stress upon the actual operation of state budget systems rather than upon the provisions of state budget laws. The interesting and satisfactory budget system is the one that works well, not the one that has the most perfect law au-

thorizing its establishment. While our experience in budget making does not extend over a sufficient period to warrant a critical appraisal of the methods used, yet certain trends in the work have always become apparent and certain practices, some of them admittedly bad, are now in vogue in some of the states.

The main reasons why state budget systems are not working more satisfactorily may be summed up in four phrases: (1) inertia of state officials; (2) shifting of responsibility in budget planning; (3) political squabbles and deadlocks; and (4) obsolete machinery and antiquated methods of state governments. From first to last, these stand in the order of increasing importance.

INERTIA OF STATE OFFICIALS

In some states the officers charged with budget making put forth very little, if any, effort to carry out the budget law. They are not wilfully negligent of their duty; they simply do not move. They lack an appreciation of the importance of financial planning. They merely "hold" office, doing the daily routine in about the same way their predecessors of forty years ago did it. For example, Tennessee has had a very good budget law on the statute books since 1917, but no budget has yet been presented to the legislature in accordance with its provisions.

In several states unsatisfactory budgets have been prepared, due mainly to the fact that the executive, or the board responsible for budget making, gives little attention to the work until a month or two before the time set for presenting the budget to the legislature. Then there is a wild scramble to get the budget "dope" together and present it in some form so as to satisfy the requirements of the law. In these

states proper records are not kept, and the budget-making authority has no permanent staff agency. Budget making is not regarded as a continuous process, but a sort of miscellaneous "job" to be done once in a biennium and to be forgotten as soon thereafter as possible.

But administrative officers are not the only ones that stick to office habits when it comes to budget making. Legislators are just as bad. In fact, legislative bodies stick doggedly to existing practices and procedure when they might easily make a few changes that would add greatly to the success of budget planning.

SHIFTING RESPONSIBILITY IN BUDGET PLANNING

"Passing the buck" in budget planning is a common means of nullifying the effect of the budget system. Governor Small of Illinois, although he presented the budget to the legislature a month after he came into office, refused to accept any responsibility for the recommendations contained in it. Governor Allen of Kansas submitted the budget to the legislature without any recommendations. Such a document is really not a budget, but only a compilation of the estimates. The distinguishing earmark of the budget is the financial plan which it proposes. The Montana budget contained no recommendations, the reason given being that two of the three members of the budget-making authority (the state board of examiners) were retiring from office early this year. This "lying down on the job" when near the end of one's term in office, or passing work on to one's successor in office, is much too common in state budget making.

With determination to give the state a financial plan and willingness to accept responsibility for it, a governor can inaugurate the budget system with-

out any law. This is illustrated by Governor Milliken's experience in Maine. In 1917, without any legal authority, he prepared a state budget and by his leadership put it through the legislature. This budget was more satisfactory than those of a majority of the states having budget laws and constitutional amendments. It was even more satisfactory than the budget prepared this year in the same state under a law enacted in 1919, which created a budget committee consisting of the governor, auditor, treasurer, and chairmen of the senate and house appropriation committees.

In some of the states the shifting of responsibility for financial planning has resulted in the executive type of budget reverting to the legislative type. For example, in Massachusetts the governor's repeated refusal to formulate a budget plan, and to face the issues connected with it, has forced certain members of the legislature to take leadership in budget making. Practically the same thing has happened in New Jersey. No matter what the provisions of the budget law are, they cannot be successfully carried out unless the budget-making authority is willing to assume responsibility for the budget plan and to stand the gaff in its defence.

POLITICAL SQUABBLES AND DEADLOCKS

Many things beside budgets are wrecked upon the rocks of political discord. Budgets, however, seem particularly liable to such disasters. The most notable example during the present year is the complete fiasco of the Oklahoma budget. Governor Robertson, who submitted the budget to the legislature, was elected to office running on the Democratic ticket. The legislature was divided, the senate being Democratic and the house Republican. The house spent most of its

time making "investigations" of the several departments and offices, including the lieutenant-governor, and in trying to impeach the governor. Neither the house nor the senate paid any attention to the governor's budget recommendations. They each prepared and passed a series of appropriation bills, the totals of which differed by about two million dollars. After repeated conferences and extended wrangling, the two houses came to a deadlock. This continued for several days, and then suddenly the house adjourned *sine die*. No appropriations were passed, not even deficiency appropriations. Recently the governor called a special session of the legislature which, after passing a few deficiency appropriations, again threatens to end in another deadlock.

The Oklahoma budget law was practically copied from that of Virginia, where the budget system has so far operated fairly well. It is quite possible, however, that the same thing which has happened in Oklahoma might happen in any state. As long as we have bicameral state legislatures there is a possibility of a deadlock between the houses. With even a single house legislature and an elective governor there may not always be political agreement between the legislature and the executive. To meet such situations the machinery must be so adjusted as to prevent partisan wrangling and especially deadlocks. The remedy lies outside the province of strictly budget legislation.

OBSELETE MACHINERY AND ANTIQUATED METHODS OF STATE GOVERNMENTS

States are beginning to find out that sound financial planning and proper

conduct of public business depend to a very large extent upon the governmental organization and methods used. If the budget system is to work effectively, there must be a well co-ordinated administrative organization that fixes definite responsibility for carrying out the budget plan, and improved business methods must be used in connection with the employment, purchasing and accounting of the government. Considerable progress has already been made in this direction. This year Ohio and Washington, following the examples set by Illinois, Idaho and Nebraska, reorganized and departmentalized their statutory administrative agencies. Out of numerous agencies, Ohio constituted eight departments and Washington ten departments, all departments being placed directly under the control of the governor. California also regrouped and consolidated into seven departments the majority of its statutory administrative agencies. Unsuccessful attempts were made this year to put through plans of administrative reorganization in Arizona, Connecticut, Michigan, Missouri, New Mexico, New York and Tennessee. Studies looking toward the adoption of reorganization plans are under way in Arkansas, Connecticut, Maryland and Texas.

Ten states have adopted the merit system of civil service. Fifteen states have centralized practically all their purchasing under the control of a single agency. Utah and Washington set up centralized purchasing agencies this year. Recently several states have greatly improved their methods of accounting and reporting.

We are on the way toward the development of effective state budget systems, but we have not yet arrived.

NOTES AND EVENTS

I. GOVERNMENT AND ADMINISTRATION

To Abolish City-Manager Government.—A petition has been filed to abolish city-manager government in Pontiac, Michigan, and an election will be held on the question November 29.



The Municipal League of Seattle, after special investigation and debate, has gone on record favoring the city-manager plan for that city.



City Runs Below Budget Allowances.—Norfolk, Virginia, saved \$109,523 of its budget allowance for the first six months of the present fiscal year, according to City Manager Ashburner's report to the council, although more than half of the year's expenses have been incurred. The chances are excellent that further savings will be made over the amounts authorized by the budget for the rest of the year.



City Profits from Garbage but Housewives Kick.—Norfolk, Virginia, derives \$6,000 per year from its garbage to help defray the expenses of collection by selling it to a hog-feeding company. City Manager Ashburner points out that Norfolk is one of the five cities in the country which have daily garbage collections in the summer, but the Housewives' League objects to the necessity of separating refuse into three cans, one for garbage, one for waste paper and one for glass and cans.



A New Charter for Minneapolis.—Minneapolis is now in the early stages of a determined and carefully planned effort to secure a new charter. Having failed in six earlier attempts, she is taking special pains to educate the people at every step and to keep the movement representative. A citizens' charter committee has been formed composed of one delegate from all local organizations of standing, with sub-committees on finance and research. Already more than 200 organizations are represented on this committee.



New York Sinking Fund Indictments Discussed.—The present New York state comptroller, his predecessor in office, and the broker,

through whom purchases of bonds for the state's sinking funds were made at rates higher than those prevailing in the market at the time, were dismissed last month without a jury trial on the ground that no criminal acts had been shown. The court ruled that it had not been proved that the comptroller or his predecessor had gained by defrauding the state, and if the broker had gained by sale of bonds above the market it was profit and not larceny.

If officials charged with the management of sinking funds are not responsible except for physical theft from the funds, the case for serial bonds is so much stronger. Under a recent constitutional amendment the sinking fund system is no longer possible for New York state.



County Government News.—At the November election, New York state will vote upon a constitutional amendment empowering the legislature to provide new forms of government for Westchester and Nassau counties, subject to the approval of voters in each county by a referendum vote at a general election. The amendment provides that the plan adopted may include the transfer to the county of town functions, that it must provide the manner in which the county may revert to its old type of government and shall not take from the legislature the power of amendment or modification.

Nassau and Westchester counties are adjacent to the city of New York. They have large populations, and the old county and township governments, together with the small villages and school districts, have involved many costly tangles and have baffled progress. Both counties appointed official commissions in 1914 to examine their local governments and suggest improvements. They found they could do nothing without constitutional amendment and, after getting their amendment in the constitution of 1915 which failed, have revived the effort in the present amendment now in its final stage.

The New York State Association has published two valuable and suggestive bulletins dealing comprehensively with the situation in each of the counties, and outlining the possibilities for unification, shorter ballot, increased efficiency and

lower taxes which the amendment it passed would permit. The two bulletins are obtainable from the association at 305 Broadway, New York, at twenty-five cents each.

✱

Sacramento, California.—The petition for the election of a county charter revision commission was declared insufficient, but on appeal to the court was held to be sufficient, whereupon opponents of a new charter have carried the matter to the supreme court. Meanwhile, a new petition is being circulated which will be free from the errors alleged against the first, and an election in the near future looking toward the adoption of a county-manager plan seems certain. The delays, however, prevent submission in time for ratification by the 1922 special session of the legislature, and so a new plan cannot now be made effective until 1923.

✱

Alameda, California.—The first vote on the consolidated city-county-manager charter is due on November 15.

✱

Referendum Becomes Party Tool in Missouri.

—At the election in November, 1920, the Republican party for the first time since the success of the Liberal Republican movement in 1872 gained control of both the executive and legislative branches in Missouri. In the legislature which met in January, 1921, Governor Hyde was successful in carrying through a program of consolidation of state administration. Most of the measures were opposed by the opposition party and were passed by practically a strict party vote. Party lines were also drawn on a bill re-districting the circuit courts of the state and upon a number of measures consolidating the offices of justices of the peace and constables in Jackson County, but all of these measures were passed.

After the legislature adjourned opposition to the measures continued, particularly on the part of those who were losing their official positions as a result of the enactment of the bills. It was urged that the referendum should be invoked on these measures, and the Democratic state committee officially sanctioned and promoted the referendum movement. As a result petitions were circulated and the following measures were suspended and referred to the voters at the election in November, 1922: budget bill, department of labor bill, supervisor of public welfare bill, department of agriculture bill, and two bills

abolishing the office of beverage inspector and state inspector of oils, respectively. The Democratic state committee had also approved the referendum of the bill re-districting the circuit courts of the state and four bills relating to the offices of justices of the peace and constables in Jackson County. All these measures were held up by referendum process.

In addition to the above measures opposition was directed at a county school unit bill, a workman's compensation measure, and a bill which changed the requirements for admission to the examination for the practice of medicine, so as to take away from the state board of health the power to classify medical schools. While the referendum of these measures was not sanctioned by the Democratic state committee, petitions were circulated and the necessary number of signatures secured to suspend their operation until after they had been voted upon by the people under the referendum provisions.

Fourteen measures in all were suspended under the referendum process. Questions have arisen regarding the validity of the petitions in the case of some of the measures, and injunction proceedings will probably be instituted to prevent the secretary of state from placing these acts on the referendum ballot.

In the case of the four bills relating to offices of justices of the peace and constables in Jackson County, the legislature declared the measures "necessary for the immediate preservation of the public peace, health and safety" within the meaning of the referendum section of the constitution. As a result of this fact, the secretary of state declined to accept the referendum petitions on these measures, following the ruling laid down by the supreme court of Oregon. The provision in the Missouri referendum section regarding this matter had been adopted from Oregon and was practically identical with the statement which had been passed upon by the Oregon supreme court. Mandamus proceedings were instituted to compel the secretary of state to accept the referendum petitions, and the supreme court of Missouri ruled that the judiciary must pass upon the question of whether a measure was necessary for the immediate preservation of the public peace, health and safety. As it held that these measures were not of this character the secretary of state was ordered to accept the referendum petitions on the four bills with emergency clauses.

ISADOR LOEB.

Dramatic Developments in Cincinnati's Street Car Difficulties.—The revised street railroad franchise adopted in Cincinnati in 1918 provides for the cost of service plan. The rate of fare is to go up and down according to an amount in a reserve fund. The receipts of the system never reached the point of paying anything into the reserve fund. In fact, for more than a year, the receipts had not reached the point of paying the city's license tax, and the payments which had been made during the life of this revised franchise were, in effect, made by means of the convenient process of funding deficits. Consequently, the fare kept going up and up, one-half cent each quarterly period provided in the ordinance.

In June, 1921, the fare had reached nine cents cash fare and eight-and-a-half cents ticket fare. Under the ordinance a further increase of one-half cent was inevitable on the 1st of August, 1921, and another half-a-cent increase three months later. A municipal election is to take place in November, 1921, preceded by the customary campaign. The indications were that the fare had reached its point of maximum inefficiency as a source of earning power and that the company was desirous of avoiding further increases.

In this situation, the city officials passed an ordinance providing that the 1920 and 1921 license fees to the city, aggregating \$700,000, are not to be paid unless in 1922 and thereafter the revenues produce a surplus which could be applied thereon; but the rate of fare is not to be advanced to produce such surplus. While the fare is over 7½ cents, payments into the reserve fund shall not be required.

But the city charter contains general referendum provisions, under which ordinances are subject to a referendum, and for that purpose their taking effect is suspended for thirty days. Within the thirty days after the passage of the aforesaid ordinance, a referendum petition was filed containing on its face an adequate number of signatures.

The street railroad company promptly accepted the ordinance, and a moment thereafter announced that it would not comply with same. Immediately, on a Saturday, the city filed a suit in court to compel compliance with the ordinance, making the street railroad company the sole party-defendant. Under the statutes, the company would have five or six weeks within which to answer; but, on the following Monday, two days after the suit was filed with only Sun-

day intervening, the attorney for the traction company (the busiest lawyer at the Cincinnati Bar) appeared in court with his answer ready, and all ready for trial, and on that same day (Monday) the hearing took place in court. In the arguments the issues between the city and the company's attorney were not very sharply drawn, and the only strong note of dissent came from the attorney of the referendum petitioners. The court refused to make the referendum committee a party to the action, but permitted its attorney to submit an argument. Within a few days after the argument, the court decided that, for reasons specially applying to street railway ordinances, this ordinance was not subject to referendum.

In the meantime the city officials became aggressively active in finding flaws in the referendum petition and, through their party organization, in obtaining withdrawals of names of petitioners. The petitioners' committee filed in the supreme court of Ohio a mandamus action to compel the city and election officials to hold the referendum election. The chief issue involved was whether the ordinance was subject to a referendum at all, and the supreme court of Ohio decided it was not.

In justification of the ordinance, the city officials argued that the city was not receiving its license fees anyhow and the reserve fund was not receiving anything anyhow, and that the ordinance was a method whereby fares could be reduced, leaving the future to determine whether the earning capacity of the system would be sufficient to keep them down and cover accumulated deficits. The petitioners pointed out that the ordinance does not release the company from license fees or reserve fund requirements but, by suspending these obligations, adds to the accumulated deficit. They attacked the ordinance as a campaign device and as a means for postponing over the period of the campaign a frank facing of the situation, as they, the petitioners, saw it, namely: that the franchise ordinance cannot be made to work, and that the financial structure of the company upon which that ordinance is based will compel a continuous increase in fares, to the detriment of the public and the inevitable collapse of the service, the ordinance, and that financial structure itself.

ALFRED BETTMAN.



The New York Transit Commission Report.—What may be termed the first progress report of

the New York Transit Commission was published September 30 in the form of a tentative plan for the solution of the transit trouble. It will be remembered that the commission has been endowed with all power over New York transportation which it was within the authority of the legislature to confer. The members of the commission, although generally respected, were appointed by the Republican governor, who forced through the transit bill. Under this bill the city government is no longer a party to transit negotiations. Naturally the present Tammany administration attacks the plan bitterly and it has become a central issue in the mayoralty campaign. As the corporation counsel remarked, "We are against anything which the transit commission proposes."

The tentative plan, however, has much to commend it, and it is a sad commentary upon the intellectual capacity of the present city administration that they have not been able to criticize it upon reasonable grounds. This has been left to others who are more friendly to the commission than to the administration.

The plan in brief proposes to start anew by combining all transportation facilities into three systems, grouped as follows: the Interborough subway and elevated lines; the subway, elevated and surface lines of the Brooklyn Rapid Transit Company and the surface lines of Manhattan and the Bronx. An operating company is to be organized for each consolidated system. A fourth company will be organized to exercise financial control over the three operating companies. The stock of the operating companies will be held by this central company in trust for the city, which will be the legal owner of the properties. The directorate of the central company will be made up of three selections by the operating companies and three appointed by the mayor, these six to appoint a seventh. It will be known as the board of control, but its powers will concern financial control only.

The present owners of traction securities will exchange their holdings for bonds of the operating companies. These bonds will include a contract for the automatic maintenance of a fare high enough to pay interest and amortization. Valuations according to existing security issues are to be disregarded and the new bonds are to be issued on a fair valuation only.

The purchase bonds are to bear interest at 5 per cent. As an incentive to efficient service a sum equal to 3 per cent interest on the purchase bonds is to be divided equally between the operating personnel and the owners of the bonds, after payment of all obligations including maintenance of the barometer fund. This barometer fund is a contingent reserve, the condition of which determines the rate of fare. The plan is thus intended to be service at cost, the fare fluctuating with cost.

One per cent is to be set aside each year to amortize the purchase bonds. Full municipal ownership will thus in time be accomplished without additional outlay by the city.

It will be observed that the plan gives to the city no share in operation. Although legal title to all properties is to be vested in the city (present stockholders become bond holders under the new system), it is to have no voice in operation and must rest content with minority representation on the board of control of the central holding company. It will also be observed that, while the transit commission has full power to commit the city to anything, the various transit interests can accept or reject the proposals at will. Assuming that the valuation will be as fair as the commission says it will, the traction companies can reject it or compel a modification. Of course two of the big systems to-day are in bankruptcy and the third can be forced in, and the commission relies upon this condition as the tool to be used if negotiations fail.

Yet the difficulties in the way are enormous, and increasingly so as the costs of operation of the present companies go down with falling prices. But these are difficulties which face all plans for traction relief in New York, and the commission can be forgiven for the effort to minimize the obstacles against the execution of its scheme. For the report, after all, bears traces of being a political document. Nevertheless, it represents a serious effort to attack the most grievous traction situation in the country. If the plan succeeds we shall eventually have unification of all lines under municipal ownership. In the meantime we shall see what are the commission's powers of negotiation, and if its plan goes through we shall gain some more experience with the charming phrase, "service at cost."

II. JUDICIAL DECISIONS

State Does Not Lose Police Powers in Home Rule Cities.—A taxpayer of the city of Dayton assailed the constitutionality of the conservancy law of Ohio on the ground that by the adoption of a home rule charter, the city and state had become bound in contract, and that the state had no powers to guard the public health and welfare within the city. Plaintiff argued that all matters of local improvement and taxation were vested in the city and that the officials in charge of the execution of the conservancy act were not such city officials, and that they were availing themselves of funds realized from the taxes taken out of the city. The court held that the powers conferred upon chartered cities does not preclude the state from enforcing police and sanitary regulations, and that the state had a right to impose taxes on Dayton for such purposes.¹



Taxicab Stands.—The driver of a taxicab was arrested for violating a statute of the District of Columbia directed against the improper use of streets. The agreed statement of facts was that the defendant had parked his car at a place opposite the entrance to the Union Station on property used by the public, but owned by the Terminal Company. A contract agreement between the defendant and the Terminal Company permitted such use of the property. The court held that inasmuch as the property belonged to the Terminal Company and that the defendant was there in accordance with a contract agreement, the statute involved could not be construed so as to prevent such use of the property.²



Ash Removal.—An ordinance was passed by the city of Baltimore making it the duty of the commissioners of street cleaning to remove all ashes from dwelling houses, tenements and apartments, with the limitation that such ashes should not exceed fifteen bushels per week. The ordinance was attacked on the ground that it was unjust and discriminatory. The argument was presented that because fifty or sixty families choose to live in one building that they should not be placed in a different position than those who lived in separate houses.

The court held that the removal of ashes

served a public purpose, though not a public necessity, and that it was for the municipal authorities to decide, as to how far they should go with such removal. The opinion of the court indicated that if the plaintiff's argument was sound, then those who used oil or other fuels not leaving an ash could attack the ordinance.³



Municipal Liability for Contractor's Negligence.—The city of Indianapolis contracted with a private corporation for certain improvements in a street. The evidence showed that an excavation had been negligently left unguarded and that the complainant had been injured by driving into it. The city claimed exemption from liability on the ground that the contract with the firm specifically stated that the firm should be responsible for all accidents and for keeping the work in a safe condition.

The court held that it is a city's non-delegable duty to protect pedestrians against dangerous excavations in the street, and that even though the work was being done by a contractor, the city could not avoid the liability on this account.

The theory of the court's position is that the contractor was purely an agent of the city in the performance of this work and that the negligence of the agent was binding on the principle.⁴



Drains Not to be Construed as Sewers.—A petition was presented to the city council of Cincinnati requesting certain street improvements, including a request for a drain. The council authorized the construction of this work, but ordered a sanitary sewer in place of a drain. The petitioners brought action to enjoin the collection of the assessment for the sewer. The court granted the injunction, and held that the word drain could not be interpreted so as to include the construction of a sanitary sewer.⁵



Board of Education Not a Resident Owner.—Under a statute requiring a petition for the paving of a street to be signed by the resident owners of one half of the property fronting upon it, the board of education, whose jurisdiction covered the entire city, was held not to be a com-

¹ *Selvey vs. Commissioners of Montgomery County et al.*, Fed. 202.

² *Reamy vs. District of Columbia*, 273 Fed. 323.

³ *Mayor and City Council of Baltimore vs. Hampton Court*, 143 Atl. 850.

⁴ *City of Indianapolis et al. vs. Cox*, 132 B. E. 8.

⁵ *Roebeling vs. City of Cincinnati et al.*, 132 N. E. 60.

petent signer by virtue of one of its school sites abutting thereon.¹



Suspension of Veteran Not Removal.—A Spanish War veteran was employed by the city of New York on a per diem wage. Because of certain criminal charges against him, he was suspended pending the outcome of the case. He was acquitted, and brought action to recover his lost wages on the ground that he being a veteran could not be removed.

The court submitted that such a veteran could be removed only after a proper hearing, but held that in this case the employe was merely suspended and that under a former ruling of the court no recovery could be made for wages not performed during suspension.²



Veteran Not Entitled to Select Board of Review.—Under the laws of Massachusetts no veteran could be suspended or removed from public employment except after full hearing before the city council, or, by virtue of another law, by the civil service board. The council heard his case, and the veteran now complains that he had a

right to elect the board before whom his case was to be heard. The court held that the most favorable construction that could be placed on the law was simply that it gave him the right to have his case reviewed before the proper board, but that it did not give him any right of election between boards.³



Municipal Parks.—The charter of the city of Huntington empowered the city to acquire and improve parks and enter into contract with the owner of land for the purchase of such parks. Under this authorization the city was given a large tract of land, with the agreement that the city would make certain improvements thereon.

After several years, during which time no improvements were made, the grantor brought suit for damages against the city for failure to perform its part of the contract.

The court held that the suit had been properly brought and that the city was liable in damages for not having improved the land, which failure had resulted in serious damage to the grantor because of the unsalable condition in which his remaining land was left.⁴

ROBERT M. GOODRICH.

III. GOVERNMENTAL RESEARCH CONFERENCE NOTES

James W. Routh, recently of the Rochester Bureau, has become engineer for the new St. Paul Bureau of Municipal Research. **Harry G. Barnes**, a graduate of the University of Wisconsin, is also on the staff.



Miss Katherine Kennedy and **Miss Hannah L. Protzman** have joined the Department of Child Welfare of the Ohio Institute for Public Efficiency, the former specializing in the administration of juvenile courts and mothers' pensions, and the latter in co-operation with rural school districts and attendance administration officials.



The Ohio Council of Social Agencies has a committee at work formulating a program for meeting unemployment conditions in Ohio during the coming winter.



S. G. Davidson, formerly of the New York Bureau of Municipal Research, and who has

held responsible hospital positions in Philadelphia, Memphis, and Youngstown, is now superintendent of the Rockford (Illinois) Hospital.



Howard R. Knight, former acting manager of the Insular and Foreign Division, American Red Cross, Washington, D. C., has taken charge of the Organization Department of the Ohio Institute for Public Efficiency, Columbus, Ohio, succeeding **H. D. Wehrly**, who resigned to become director of the Dayton (Ohio) Bureau of Community Service. Mr. Knight has held responsible positions with the Russell Sage Foundation, Y. M. C. A. at Mineola, New York, the Marine-cock Neighborhood Association, Long Island, and American Red Cross.



Dr. Paul Studensky has succeeded **Mr. H. R. Heydon** as director of the Bureau of State Research of the New Jersey State Chamber of Commerce.

ROBERT T. CRANE.

¹ *Dunsworth vs. City of Hutchinson*, 199 Pac. 89.

² *Mandeville vs. College of the City of New York*, 188 N. Y. S. 656.

³ *Donlan vs. City Council of Boston*, 131 N. E. 329.

⁴ *Wittaker vs. City of Huntington*, 107 S. E. 121.

STATE PARKS

By

HAROLD A. CAPARN

Landscape Architect, New York City

An account of the widening movement
to preserve for all the people choice
bits of nature with scenic, historical,
recreational and educational values

Supplement to

NATIONAL MUNICIPAL REVIEW

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STATE PARKS

INTRODUCTION

Judging by the returns from many states the popular appetite for parks grows by what it feeds on. First we began with city parks in the middle of the last century. Then certain men of vision saw that there was within our borders scenery so rare and so superb that it must not be destroyed, and existing on too great a scale to be owned and controlled by any power less than the United States. Thus we got the national parks. And now, some twenty-two states (at the time of this writing) have discovered that the national parks are not so near home as they could wish them, and that they have, within their own borders, natural scenery so situated or so characteristic or of such historic interest that it ought not to be left to the vicissitudes of private ownership, but must be acquired for the use of the people at large, who alone can possess and protect it for the common good. Under private ownership it is never safe from injury for private advantage. It must be made safe for the common advantage by public ownership in perpetuity. Each of these states seems to find its horizon widening with each new acquisition. It becomes more conscious of its expanding needs for new and greater park possessions as it comes to realize the value of those it has.

SAMPLES OF WHAT AMERICA WAS

Reasons for this spreading public sentiment are not far to seek. No one who stops to think can avoid being deeply impressed by the enormous destruction of natural conditions that

goes on in order that the earth may support its populations. If man is to grow his crops, the forest must go; if he is to be warmed and transported long distances quickly, and to make and operate his machines, coal and metals must be dug from the mines. There must be destruction in order that he may live and create and prosper. All this is impressive, but not much to be mourned, for it is better that forests and rocks should be destroyed than that there should be no man there to see them. But what seems almost appalling to those who are sensitive to natural beauty, to whom the unscarred face of the earth seems a thing to be treasured, is the wanton unnecessary waste and ruin too often wrought in converting the resources of the globe to man's uses. The forests, not merely cut, but eradicated, and the soil so burned as to become sterile; the deserts left as the aftermath of coal and metal mining; stark ugliness created where once a garden smiled. Nay, more: the actual joy in destruction, seemingly for its own sake, that seems to possess some of those with the pioneer instinct gone awry, who would rather plunder the hoardings of nature than use them. What is scenery, the gradual evolution of millions of years to such people? Let it be destroyed, for out of it can be made so many million roofing shingles, or yellow newspapers or tons of fuel or cement or tin cans or breakfast food. Surely a great achievement! Presently all these things will have been consumed, and so disappear (excepting the cement, which will probably perpetuate yet more monstrosities in concrete) and there will still remain an insatiable population clamoring for

more. So, in the end, we have neither the products nor the scenery, but there surely must be a great gain somewhere, for has not Nature been conquered, and the ends of commerce been served?

"But what good came of it at last?" quoth little Peterkin.

"Nay that I cannot tell" said he; "but 'twas a famous victory."

Two or three generations ago, the people who saw and felt these things were few and far between, and their voice was as of one crying in the wilderness; but the sound thereof gained strength as it traveled, and bids fair to go out into all states; for the history of park movements seems to begin at the top; they are set going by a few enthusiasts (often by one only). But now the number of those who feel that we must preserve some of our scenery lest it be all destroyed is so large that they can be found in most communities. They want the coming generations to see what America was, even though only in samples. Their desire will be more and more justified as time goes on; for the increase of population decreases

the areas available for popular recreation, camping, and fishing. Therefore, as density increases, park areas ought to increase in proportion, for there will be more to need and more to use them. This, of course, means that the time to acquire territory for state parks is *as soon as possible*. We should be as prophetic in foreseeing park needs, and as generous in satisfying them as we can, for the longer the waiting, the more difficult and costly the task will be.

We should remember that national and state parks do not serve the ends of recreation in its many forms alone; they are preserves of our native flora and fauna, and as time goes on, they are likely to be the only ones in the future; and they are likely to be the only places for studying meteorology and insect and bacterial life with their influence on growth, soil and climate under natural conditions, all these being subjects of great importance. As a climax, I may quote the words of Mr. J. Horace McFarland, who points out that the parks "deplete the popu-



BOY SCOUT CABIN IN BRONX RIVER PARKWAY, NEW YORK

lation of hospitals, reformatories, sanitariums and penitentiaries," a result to which all the other uses of the parks in some measure contribute.

AUTOMOBILES AND PARKS

In one form or another there have probably always been public lands to which anyone had the right of access, and it is one of the surest signs of democracy that a community insists on formal ownership and development or preservation of tracts for its own use and pleasure. The first great public parks of Europe were the demesnes of royalty or nobility, confiscated or otherwise converted to the common use. In our own country, when the city population grew thicker and unoccupied land within their limits scarcer and more difficult to protect, people found that the only way to solve the problem of public rights in open spaces was to acquire title to them and develop them systematically for the best uses of the greatest number. As city population increased still more, and city parks became less adequate to their needs, and as traveling facilities increased, it was found that parks further afield were getting out of the luxury class and into that of necessities.



Photo by Dr. J. T. Rothrock

ORIGINAL HEMLOCK, KAROODINHA STATE FOREST, PENNSYLVANIA

Now that visitors can easily reach them, we are beginning to find that we cannot well get along without them; and though the growth of state parks may not be altogether due to the growth of the automobile, they have followed it closely. Indeed it seems doubtful whether state parks could ever become very popular without the motor car. In this connection, it is interesting to note that Mr. Stephen Mather, director of the National Park Service, replying to criticisms at the National Conference on Parks at Des Moines last January, pointed out that the national parks were mostly used, not

by millionaires in limousines, but by men who brought their families in flivvers and camped out. Similar observations could probably be made for state parks.

WHY PARKS?

An examination of many park reports and newspaper stories of state parks shows that the promoters are always at pains to give their reasons for their belief. This is natural and proper. But all the reasons can, of course, be boiled down to the *one great controlling reason*, that people want them and mean to have them. This is not only the great controlling reason, but the best one. It includes all the others, but as incidents. It is like one's dinner. Plural reasons can be given for eating it: to keep up one's bodily health and strength, to help the grocer and butcher to stay in business, and perhaps other reasons, no less altruistic; but the real controlling reason for eating dinner is that one is hungry and wants to eat it. So with parks: people want them because they want them, because their inborn instincts tell them, in ways that cannot be denied, that though they may possibly be happy without them, they will surely be happier with them. The reasons that the park promoters give (seemingly in their own defence, as though they had to defend themselves for defending the parks) are nearly always the same. Compared with the great controlling reason, they savor rather of excuses than reasons, though they are excellent excuses: (1) to preserve natural scenery for æsthetic and economic purposes; (2) to provide places for popular recreation; (3) to preserve places of historic interest. Any one of these by itself is justification for the establishment of a state park, though number 3 covers but a

narrow, partial and personal field. It is regarded as concerning only the doings of men, and mostly of those men who have lived within the past two or three centuries.

But what of the tremendous history behind and beyond these momentary years? What of the vast stretches of time, the slow processes of geology and biology, the occasional terrific convulsions, the titanic history that preceded our entry on the magnificent stage of the United States; that made it possible for us to occupy it, to live by and on it, and to destroy it? Take, for instance, the account of the geologic history of Starved Rock Park, Illinois. It says that once upon a time the sea covered the interior of the continent and deposited shell material sufficient, aided by some precipitation of lime from the sea water, to give rise to the lower magnesium limestone 250 feet thick! Later, the St. Peter's sandstone was deposited on the limestone, and over this the silts, sands and vegetable matter which resulted in the formation known as the Coal Measures. Think of the unimaginable lapses of time necessary for all this (for we can merely talk about millions of years, not really imagine them), the passionless deliberation of the cosmic processes, relentless in creation and destruction alike! All this happened, not merely before the entry of man (a parvenu of the last 200,000 years or so) but long before the evolution, the flourishing and disappearance of many animals, great and small, now known only by their fossilized skeletons; before there were mammals on the earth at all; before the evolution and extinction of the wonderful reptiles of the Mesozoic, before most vertebrates had come into being. We are told that cement is now made from the lower magnesium limestone, so that before the concrete or brickwork that keeps your house or

factory safe and stable could be made, all those cubic miles of tiny animals had to live and die and be petrified. Then on the limestone the sandstone, and over that the carboniferous forests had time to grow and perish. And all these things, and many more just as grand and awe-inspiring had to happen before Illinois could rear Abraham Lincoln and the lesser men who have made the state of Illinois as we know it. Every state in the Union has a history no less ancient and impressive than this, and all are different. Surely a subject of the profoundest appeal to the imagination, this history of the manifestations of the Cosmic will and brain before the ephemeral will and brain of man had appeared and struggled. And no place could be better to illustrate and preserve this history than a state park.

A PARK MUSEUM

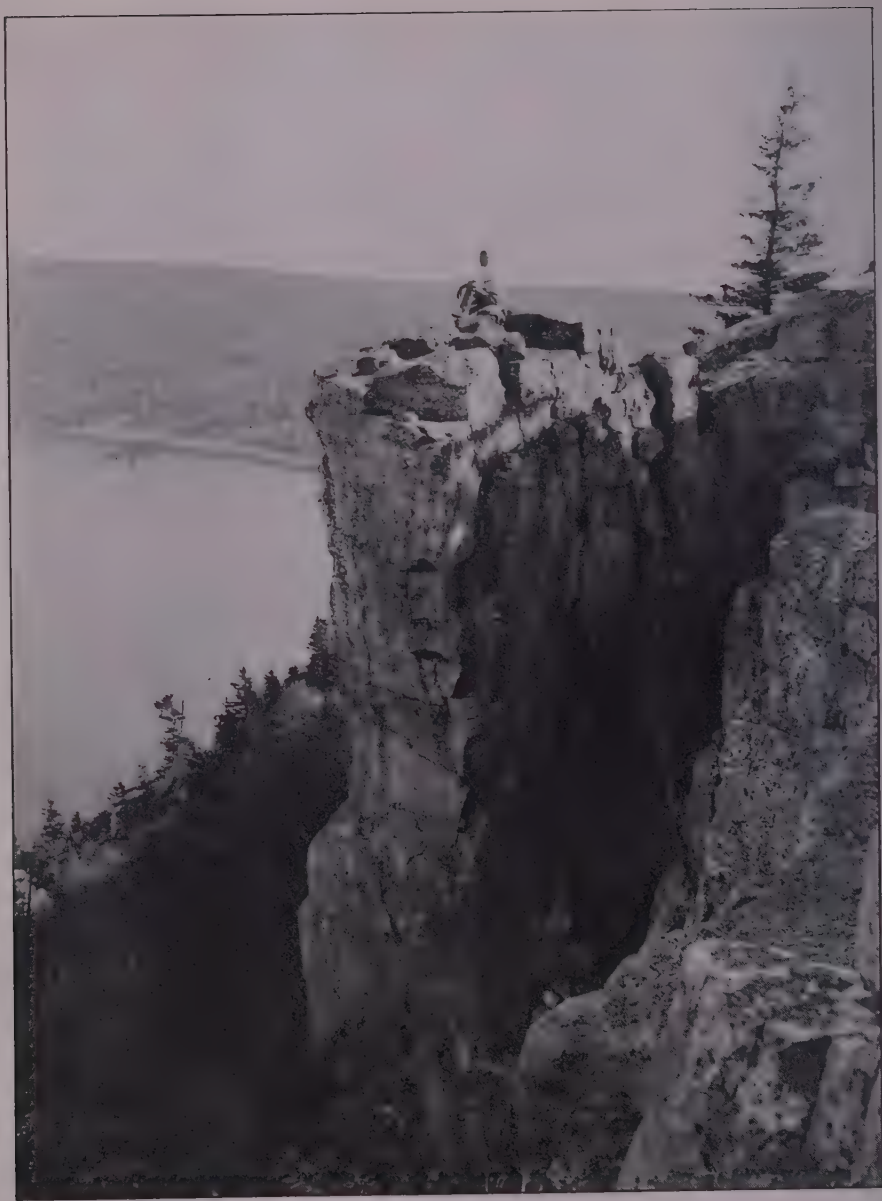
It seems to the writer that every state park ought to contain a museum, and this museum should contain whatever relics and memorials of the park's human history may be available and appropriate. It should also contain specimens of every kind of rock and other geologic stratum within the park limits. The description of each should be so worded and arranged that anyone could easily see that such and such a rock came from the Azoic, before life existed on the planet at all; another was deposited (perhaps) when the dinosaurs wallowed in the swamps, when the pterodactyls beat the air and before flowering plants had appeared; this slate or sandstone or lignite is of the age of the huge and formidable titanotheres, and the ancestor of the modern pig, both extinct these millions of years; or this piece of waterworn boulder was formed by fire when the earth was cooling and de-

posited in the park by the fourth glacial invasion when the Neanderthal man wandered over the plains of Europe only two or three score thousand years before historic times! There would be a gallery of illustrations of the various ages of the park, labeled thus for instance: This is a probable view in the park in the Carboniferous Era; This in the Early Mesozoic; This in the Eocene; This just before the First Glacial; and These are the animals that certainly or probably roamed through the park in these several epochs, and These are the trees and plants through which they roamed. There should be as complete a collection of fossils and other remains to testify to all this.

SOME GENERAL CONSIDERATIONS

It so happens that much of the land especially valuable for its scenic beauty is of little or no use for agriculture. Steep mountain sides, rocks, lakes and rivers may combine in the most precious of scenery yet not be worth \$10 an acre for agriculture or other industries.

Any land at all can be turned into a park and restored to natural conditions if it is worth while; not always the original conditions, but something not dissimilar and with the necessary wild character. Even Manhattan Island, though it would be a very expensive process to remove the skyscrapers and the elevated railroads, to resoil and replant it and wait fifty years, could be made to look like the kind of country that Henry Hudson found between New York and Albany. By planting with the proper knowledge and foresight any land that can be made to grow trees can gradually be made into a good example of wild scenery. Soil and vegetation can be renewed; but rocks, once destroyed, can be replaced



PROSPECT POINT, DEVILS LAKE PARK, WISCONSIN

only by the processes that put them there. Examples of more or less denuded land made into state parks are the Harriman-Palisades Park in New York and New Jersey, and the Metropolitan Park system of Boston. Much of the Bronx River reservation in New York was entirely despoiled. All these sites were worth while as parks because of their proximity to great cities. Their scenery, except the Palisades, while often very attractive, is not especially remarkable. In fact, proximity to a great city is sometimes the most important reason for a state park.

We ought to be especially forehanded in acquiring water fronts to forestall private ownership. Water fronts are perhaps the most valuable park sites, and are the most sought after by private owners, who are able, in effect, to control not only their own land, but also the water, in which they may have no property rights, by keeping the public away from it.

State parks should not necessarily be confined to the rare and most beautiful scenery. They might with great advantage also preserve examples of the average or characteristic scenery of each state. As population increases and the land is absorbed it will become more and more necessary to have large parks in greater number and well distributed so that they may be accessible to all within the state. To future generations it will surely be of the greatest interest to be able to wander among the New England hills, or the Illinois prairies or Pennsylvania pine-woods, substantially as they were when Columbus sailed from Genoa; to be able to see what America was, not only in her rare moments, but in her everyday garb. This is easy now, but will become more and more difficult as time goes on.

As far as is practicable state parks ought to be connected by state high-

ways. (See resolution of unofficial committee of Society of Friends of Natural Landscape of Illinois.)

It is not possible, within the limits of this article, to describe the state park systems of the whole country with any approach to adequacy. The park systems of seven states, notable for one reason or another, are briefly sketched as representative of the general park problems of choice of site, acquisition, development and administration. A complete description of the state parks of the United States has been compiled by Dr. Edward Hagaman Hall, secretary of the American Scenic and Historic Preservation Society. It is likely to be published in the next annual report of the society. To date the following twenty-six states have state parks: California, Connecticut, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, West Virginia, Wisconsin, and Wyoming.

DESCRIPTION OF STATE PARKS

I. ILLINOIS

In no state is the park idea more popular than in Illinois if newspaper publicity is to be trusted. The Illinoisians have one notable state park (Starved Rock) and a number of memorials of great historic interest. Since the National Park Conference at Des Moines last January, movements for new parks have been set on foot in many parts of the state. Conspicuous among these is the Society of Friends of the Natural Landscape and several Chambers of Commerce. The state park bill of Representative Kauffman called for an appropriation of

\$250,000, and the creation of an advisory board of five in the department of public works and was widely supported. Some of the provisions of the bill are worth quoting as showing the foreseeing Illinois view of the subject. It is provided that "the state park board shall make investigation of places which are of historic or scientific interest, or of natural scenic beauty, and shall formulate a comprehensive system of state parks and preserves. From time to time the board shall—recommend the acquisition of such tracts of land as it may deem advisable." The board is also to be given power "to acquire—land suitable for public parks, forests, game and fish preserves and experiment and investigation stations." Section four provides that, once acquired, they shall be kept in their natural state, and only necessary structures shall be erected therein.

The report of the Illinois state parks and memorials compiled for the department of public works by C. M. Service gives detailed accounts of eight state parks and memorials, and people in different parts of the state are working for upwards of twenty more. The legislature is said to be niggardly in its appropriations for this purpose, and citizens are expected to contribute a large share of the purchase price from their own funds.

To quote from the preface to the report:

Illinois is developing a comprehensive system of state parks. The movement had its feeble beginning within the last decade, but the administrative code originated by Governor Lowden furnished the impetus that has accomplished important results. Until two years ago the parks were administered by a commission which scattered its efforts. In 1917 the administration code placed the supervision of parks in the hands of the department of public works and buildings, which began immediately to carry out a progressive program. The Illinois plan has as

its object the improvement or reclamation of every important spot in the state that is hallowed by historic memories.

The report describes with much detail the memorials at Fort Chartres (Randolph County), Fort Massac (Massac County), the Lincoln Monument and Memorial Hall in Oak Ridge Cemetery, Springfield, the Douglas Monument in Chicago, the Lincoln homestead at Springfield and Starved Rock Park on the south bank of the Illinois River, midway between Ottawa and LaSalle. The latter contains about 900 acres of rough woodland. Its history is very interesting, as it is bound up with a good deal of the early history of the central west. Starved Rock (Fort St. Louis) was fortified by the orders of LaSalle (1682) as the beginning of the first colony in Illinois. He hoped to make it the center of the fur trade, and planned to control the mouth of the Mississippi as the beginning of a French empire in the new world. But, after many adventures he was killed by one of his followers during a journey to find the way to Canada. He was succeeded by Tonti, another of those remarkable men who will endure any hardships for the sake of adventure and the aggrandizement of their country. The fort was abandoned by order of the king in 1702, because the Indian raids had made the trading route by way of the Illinois too difficult, and in 1721 it was found by a traveler in ruins.

II. INDIANA

The Indiana state park memorial committee of the Indiana Historical Commission was created in 1916, the year of the state's centennial. It made a beginning of the state park system by purchasing McCormick's Creek Canyon in Owen County, and the Turkey Run tract in Parke County. The McCor-

mick's Creek Canyon was acquired after the citizens of nearby communities had raised one third of the purchase price of \$5,250 by private contributions. The Turkey Run property was first bid in by the Hoosier Veneering Co. for \$30,200, the park committee being unable to compete. But the members did not give up, and in 1918 bought the tract from the new owners for \$40,200. Let the reader draw his own moral from this story.

Some remarks of Governor Goodrich will be an appropriate introduction to the official description of Indiana state parks, four acquired and five hoped for. He said:

The plan for a park system was not conceived by poets, but by eminently practical men, men with judgment as well as vision. Now that we have made fame and fortune as a state, it is the proper thing for us, like the individual who acquires fame and fortune, to look after the aesthetic things of life. We have been so busy building the state materially that we have, for the moment, forgotten our ancestry and the possibilities of the future.

A brief description of Indiana's parks follows:

Turkey Run consists of 480 acres of virgin timber land of very rugged topography, with several canyons of great beauty situated in northern Parke County within three miles of a railroad which runs direct to Indianapolis. This park has a modern hotel electrically equipped, modern plumbing and a complete steam heating system. It is thus made available for winter use and has come to be a very high type community center. In addition to the hotel there are frame cottages and adequate camping facilities. The attendance to the park last season was 48,000. Turkey Run became a state park in 1917.

McCormick's Creek Canyon, consisting of 388 acres of timber land, with a very wide and deep limestone canyon

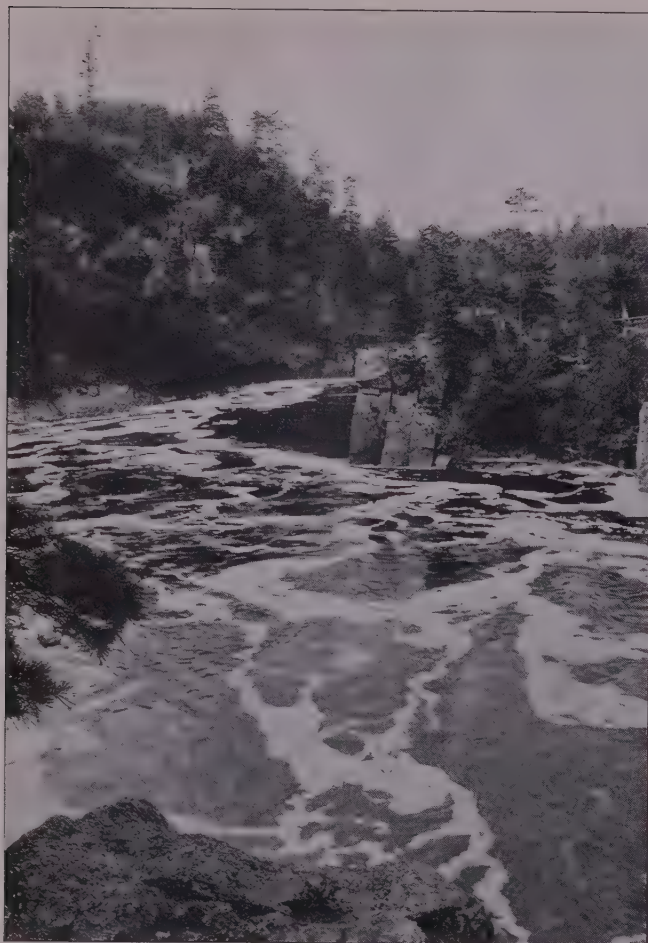
running for more than a mile through the park, is located in Owen County, three miles east of Spencer, and is reached by the Pennsylvania railroad. The park was inaugurated in 1916. Beginning with the season of 1921, the hotel was moderately equipped. A very beautiful swimming pool has been formed by the construction of a dam in the canyon. Adequate camping facilities prevail throughout the park.

Clifty Falls, a reserve of about 400 acres, is situated in Jefferson County, one mile and a half from Madison, and is reached by the Pennsylvania railroad. It was presented to the state by the people of the city and county. It has numerous waterfalls, the largest of which is Clifty, approximately 90 feet in height. This park was acquired in the fall of 1920 and money has been provided for hotel and road development to be carried out in 1921. It has the advantage of being located within a few miles of the Ohio River, and the Ohio Valley at this point offers the most beautiful and delightful scenery in the middle west.

Vinegar Mills is a 1921 acquisition and includes approximately 100 acres lying between the old towns of Vernon and North Vernon in Jennings County. In it are the ruins of an old stone mill and along one border runs the beautiful Muscatatuck. It is situated at the junction of the great east and west trunk highway and the famous Michigan road. North Vernon is the junction point for three great railways. It is most adaptable as a camping spot for automobile tourists.

Proposed Developments

The Dunes of Lake Michigan in Indiana present an opportunity for the preservation of a great and unique natural landscape and at the same time would form a breathing space for the millions of Indiana's industrial centers



DOWN THE ST. CROIX, WISCONSIN INTERSTATE PARK

and Chicago: Indiana proposes a state park including eight miles of lake front and running about a mile and a half inland. In this would be the best of the dunes country and would provide bathing facilities for many thousands and camping spots ample for the crowds that would come. It is within an hour of Chicago, at the very back door of the great steel towns. Two transcontinental railways run along its border and it is readily accessible to automobile traffic.

Proposed Park in Versailles. Negotiations are underway for the acquisition of approximately 300 acres which will include about one and a half miles of Laughery Creek, with steep, wooded slopes and provisions for many camps. This is situated on the edge of the town of Versailles in Ripley County and likewise at the junction of a road running between Cincinnati and St. Louis and another between Madison and Indianapolis. At present there are ample hotel facilities in the quaint old town and next season should see provisions for all the requirements of automobile tourists.

Clark County State Forest is a tract of 2,800 acres situated in Clark

County, one mile from Henryville on the Pennsylvania railroad and having an interurban stop on the Interstate Traction Line. On this reserve will be found the most extensive and thorough set of investigations in the growth of hardwood trees in the country. The work has been going on for seventeen years and is now at its most interesting stage. This reservation is open to the public and is of especial value to people interested in forestry and in the forestation of cut-over and abandoned farms.

The reserve is for the most part kept in a wild state and makes unusual hiking territory. Wild life abounds and the scenery is of great variety.

Lake Papakeechee is one of the finer small lakes of northern Indiana, abounding in fish life and having an unusual shore line. It is now proposed to have the division of fish and game take this lake over with the three hundred acres adjoining and use it for hatchery work and state park purposes. It lies at the southern end of the largest lake in the state, Wawasee, and in the northeastern corner of Kosciusko County. It is practically at the center of the great lake district of the state. It will provide an ideal summer vacation spot with fishing, swimming and boating facilities.

Riley Memorial State Park. It is suggested that the state acquire a state park in the vicinity of Greenfield, the birthplace of James Whitcomb Riley. Near the town are the spots immortalized by the bard, such as the Brandywine, "the ol' swimmin' hole" and the like. Greenfield is situated on the National Road about twenty miles

east of Indianapolis in Hancock County, and would be ideal for a stopover point for transcontinental tourists.

III. CONNECTICUT

These passages from the fourth biennial report of the state park commission will summarize the situation and give an idea of the park sentiment in Connecticut about as well as it can be done.

There are now twenty-five areas designated as state parks, totaling 5,121 acres.

Our estimates of appropriations needed to carry on our plans for an adequate system of state parks include \$535,000 for purchase of land and \$250,000 for maintenance.

Large as these sums may seem to the citizens of Connecticut, we feel justified in asking for them, even at this time when the financial affairs of the state, as of other states, are in some confusion on account of the war, and must be readjusted to meet the conditions of peace. In these new conditions, state highways, state forests and state parks must have their place and there is no better time to demonstrate what that place is than during this readjustment.

During the war the success of army recrea-



FALLS AT SCARSDALE, BRONX RIVER PARKWAY, NEW YORK

tional activities in maintaining morale awakened the cities to their own recreational needs, with the result that city parks and open spaces are fast being turned into playgrounds. There is a serious need of real parks which can no longer be filled by the cities. We heartily believe that only through the development of state parks can this need be supplied.

The report of the secretary and treasurer, Mr. George A. Parker, contains a good deal of useful and suggestive information about the managing of state parks in the early stages. For instance: "a favorable decision on the establishment of mountain and valley trails across the state and within it for pedestrians only. A narrow strip across the mountain tops for the view, up the hillsides and through the valleys—to be obtained by purchase or easement which will prevent the cutting of forest growths by private parties—with log huts for shelter every five or ten miles." "Towns are inclined to abandon unused roads. These might be used in the trail system, also in the general park system." The cleaning out of "underbrush" is mentioned. This has, no doubt, been done with due discretion. But it may be observed that "brush" so-called is, to a great extent, simply native shrubs, mostly as beautiful as any shrub foliage, and indispensable to the scenery of state parks.

The "Reflections" of the field secretary, Mr. Albert M. Turner, are commended to any reader, whether of those interested in state parks or of those who ought to be. (This means the census list.) It is too long to print here, but it is interesting to learn therefrom that Bushnell Park at Hartford was the first public park in the history of the world to be bought for that purpose (1840) with the people's money by their own vote. This is an instance of the one man power referred to several pages ago. It took Horace Bushnell

five years to persuade his fellow citizens to take such an unprecedented step.

Of a total of 5,121 acres, distributed among 25 parks, 2,005 have been given, no less than 1,608 by the White Memorial Foundation, mostly in the Macedonia Brook Park. Thus, for every three acres purchased by the state for park purposes, nearly two have been given.

IV. WISCONSIN

In 1907 the Wisconsin legislature created a state park board. The law of 1907 was a well drawn statute. In 1909 the board issued a report written by John Nolen in justification of state parks (they had to be justified in those days) and containing many illustrations of the sites proposed.

Since then Wisconsin has gone deeply into the state park venture, seemingly finding the demand for them growing with the supply. The Wisconsin conservation commission, like other park commissions, has discovered that the parks must be protected against some of the people as well as made accessible and useful, and issues a set of descriptions and rules and regulations that go to show how similar are state park problems in all states.

It is to be noted that visitors have the privilege of leasing from the state any one of over 600 islands scattered throughout the lakes of upper Wisconsin. The rental is from \$10 a year up. Leases are drawn for five years with first privilege of renewal in five years. In addition, lake frontage in the forest reserve of upper Wisconsin can be leased on similar terms. People are beginning to take advantage of this opportunity and build shacks or temporary homes on these lakes.



EAST PONTIAC CANYON, STARVED ROCK PARK, ILLINOIS

Lately, the Northern Lakes Association, with \$250,000 capital and no stock was incorporated. Its purpose is to raise funds for the purchase of about 8,000 acres in southwestern Price and eastern Sawyer counties, and to turn these lands over to the state under proper restrictions which will ensure their maintenance for park purposes for all time to come. This tract of land is said to be the largest body of virgin timber in the state. Their motto is evidently "Let Us See What Wisconsin Was."

Much of the purchase price of the parks has been paid from private funds, and one of the notable names in the history of Wisconsin state parks is that of Judge Asa Owen of Phillips, who raised \$100,000 by private subscription.

Wisconsin Parks Listed

State parks and forests of Wisconsin are as follows:

Devils Lake Park, purchased, located three miles south of Baraboo, 1,400 acres, remarkable geological formations and mountainous scenery around Devils Lake.

Cushing Memorial Park, Delafield, donated to the state by the Waukesha County Historical Society, eight acres, birthplace of the famous Cushing family, the three boys of which attained distinction as soldiers during the Civil War period.

Peninsula Park, purchased, located twenty-five miles north of Sturgeon Bay on the Door County peninsula, 4,000 acres, a well wooded area along the Green Bay shore, and possessing remarkable bluffs and shore line characteristics.

Brule Park and Forest Lands, located at Brule, Douglas County, donated to the state by the Weyerhaeuser Lumber Company, 5,000 acres lying along the Brule Valley.

Pattison State Park, located twelve miles south of Superior, donated by the late Martin B. Pattison of Superior, 660 acres, contains the highest waterfall in the state of Wisconsin.

Interstate Park, located at St. Croix Falls, purchased, 580 acres of rugged land along the Dalles of the St. Croix River.

Perrot Park, located near the village of Trempealeau, Trempealeau County, 590 acres, donated by John A. Latsch of Winona, Minnesota; part of the bluff lands along the Mississippi River and the location of old Fort Perrot, the wintering quarters of many of the early Wisconsin pioneers.

Nelson-Dewey Park, located at the junction of the Wisconsin and Mississippi rivers, 1,800 acres, purchased, probably the most outstanding point of the bluffs in the upper Mississippi valley.

Besides the above mentioned properties the state owns upwards of 300,000 acres of school lands, which have been protected from fires and which have been administered as state forest lands for a number of years. The ultimate disposition of these lands has not been definitely ascertained as yet. Some of them possess high agricultural value and unquestionably will be sold, although the legislature may see fit to set aside other areas as park and forest properties.

V. IOWA

Park lovers in Iowa are very active all over the state, which is probably the reason why Des Moines was chosen (at the suggestion of Secretary Payne of the Department of the Interior) for the National Park Conference last January.

The state parks of Iowa are managed by the state board of conservation created by the thirty-seventh General Assembly to "advise towards the ends

of creating and maintaining state parks of half the gun license income." It was empowered by the thirty-eighth General Assembly to accelerate the plan and \$100,000 per year was set aside for this purpose.

The methods of acquiring and using park lands in Iowa are somewhat unusual, and quite refreshing. The working of the law may be illustrated by the acquiring of the state park at Estherville. "All the state requires is that Estherville purchase eighty of the 400 acres. The Chamber of Commerce is back of the proposition, but wants to know if the people are back of them and will help finance it to the extent of buying some of the land. So the fraternal organizations and clubs of the city are each buying an acre or two." All which goes to show that the Iowans mean to have parks and do not wait for someone to come and help them. The park law seems to be based on the principle of making those most directly benefited pay their share of the cost, and of discouraging park movements promoted to gain local benefits at the expense of the whole state.

As an example of the use of parks in Iowa may be mentioned that at Keosauqua, where an Iowan may go and pick out a site, hold it rent free and build thereon his own summer cottage to which he may return year after year! Under proper restrictions, this would seem to be an excellent privilege, and likely to give the parks a strangle hold on the popular sympathy.

The state board of conservation probably represents the Iowan point of view of the park question with accuracy, and some of its outgivings are worth quoting.

The chief reason for the intensive park system in this state is, that because of the great value of Iowa land, and because of the fact that an overwhelming proportion of the land in this state is tillable, there seemed at one time to be a

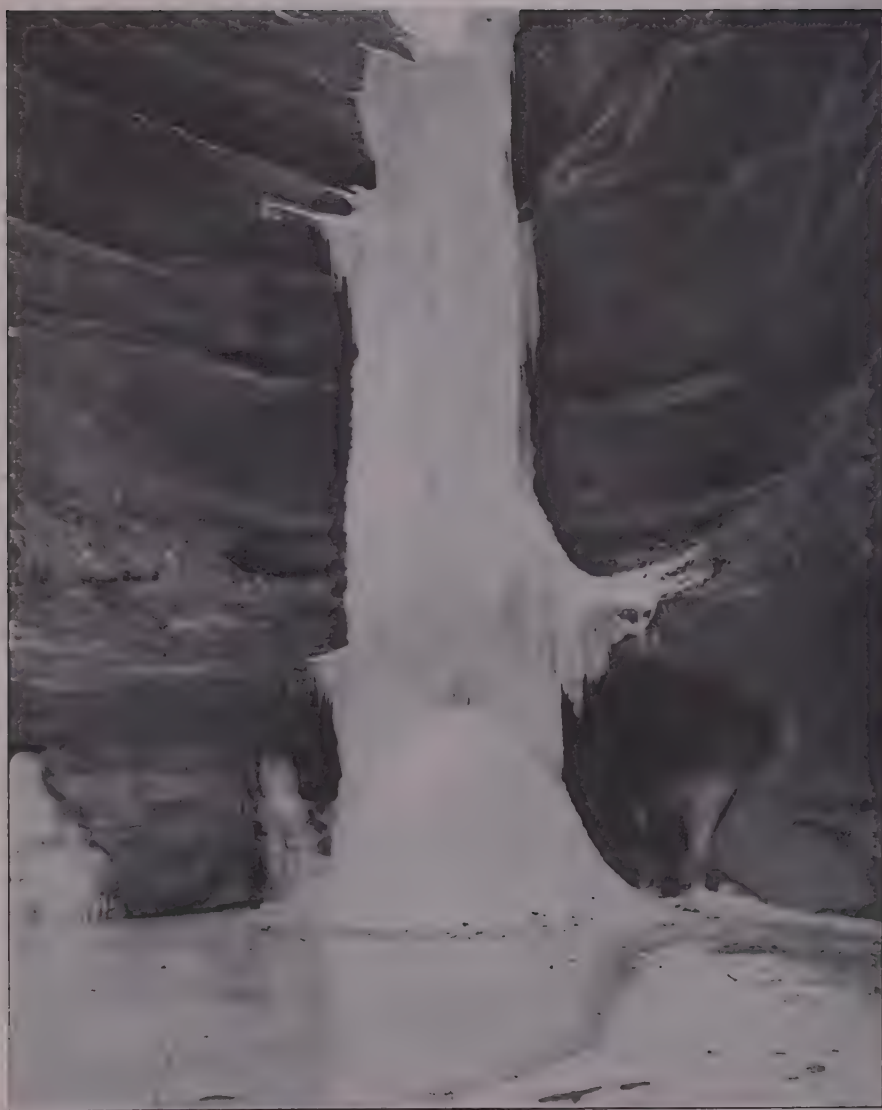
danger that there would be no land left for the public to enjoy. People from the cities, and, in fact, a large proportion of the country population found itself unable to go anywhere on Sundays or holidays without finding its progress impeded by barbed wire or threatened by short-horn bulls. All the beauty spots seemed to be under cultivation, fenced off from the public. To remedy this situation, the present intensive park system was inaugurated.

A conservative estimate leaves 5 per cent of the land in Iowa which is not under cultivation. Yet, within the limits of that 5 per cent is some of the most gorgeous scenery of the state. 'In Iowa it is but a short trip from prairie land to fairy land,' says a local enthusiast of a poetic turn of mind. 'You can see a natural bridge rivaling that of Virginia; caves of equal scientific interest with those of Kentucky; hills, valleys, plants and fossils the glaciers left untouched, grottoes in which ice forms while the sun melts the corn; lakes rimmed with boulders man cannot move, lakes like those of Switzerland. Stretches of the stone which is the foundation bedrock of our world rise in a forty-acre plot above our soil. Great hills on our Missouri River coast rise towards the clouds without a pebble in their structure. They were blown in drifts from the Nebraska plains before man was born. You can retrace the Mormon trail, the course hundreds of thousands took across Iowa in covered wagons and ox teams. You go through the region of the lower Des Moines, more interesting in the story of the state than is the lower James in the story of the nation. But you cannot go in swimming, boating, camping, fishing nor play ball, unless in cities, without encountering signs 'No Trespassing.'

Scenery such as this is excellent material for state parks, and as one reads, it becomes easy to understand why the Iowans are so enthusiastic on the park idea. They have nowhere else to go. And Iowa conditions will be repeated in many other states as time passes and lands are absorbed by private owners.

VI. PENNSYLVANIA

Pennsylvania to-day has five state parks, as follows: Valley Forge Park,



ICE PILLAR IN ST. LOUIS CANYON, STARVED ROCK PARK, ILLINOIS

Montgomery County; Camp Curtin Park, Harrisburg; Fort Washington Park, Montgomery County; and the Snyder Middleswarth Soldiers' Park at Erie (in a state forest). The first three contain 1,861.4 acres. In addition Pennsylvania has 1,108,476 acres of state forests.

This does not look as though Pennsylvania had yet risen, as no doubt she will do, some day, to her park opportunities. No state has been more efficient in denuding and destroying her natural scenery, and few, if any, have more and better motives for preserving some of it. Pennsylvania has been on the map a long time, and will probably remain there longer still, so that there is still time left for her to take up her park problem with the attention that it merits and the resources of this great state justify. She has not yet quite outgrown the reckless period of her youth, but will, no doubt, settle down and regard more seriously her inheritance of natural scenery and her duties towards it.

VII. NEW YORK

The state park system of New York is so extensive (forty reservations including state forests, in all over 1,900,000 acres) that space will not permit a detailed description of them.

There are in New York forty properties, parks and buildings, owned by the state, which come under the description of scenic, scientific and historic monuments. Some have special historical interest, as Washington's Headquarters at Newburgh. Some are large forest reserves. Letchworth Park at Genesee Falls contains an arboretum to be a permanent collection of the world's timber trees likely to thrive in this climate. Palisades Interstate Park and Bronx Parkway merit special attention.

The Bronx Parkway

This is a very large and important undertaking, shared by the city of New York and Westchester County, the latter paying one quarter of the expense.

The Parkway commission states the primary object to be the preservation of the Bronx River from pollution, but the restoration and preservation of scenery has been an incident of crucial importance, and the building of the motor boulevard itself is a great recreational work; but the camping, fishing and other pleasures conspicuous in so many state park reports are absent from this one. This is owing to the character of the parkway, which is not suited to such uses. All which goes to show that, though New York may have its faults, it is willing to pay large sums to have scenic parks within its borders.

In 1903 the final approval of the New York board of estimate made it possible for the Bronx Parkway commission (three commissioners chosen by the governor for five year terms) to proceed with the reclamation of the Bronx River valley. From White Plains south the river had been used as a sewer by the various communities through which it passed, and had become not only a nuisance to Bronx Park, but a serious menace to public health. Furthermore, since the city owned a watershed reservation of thousands of acres in Westchester and Putnam counties reaching the Bronx River valley, it was clear that an unobstructed way for motor traffic to the north would be of great value to the city. The only real answer to these various problems was to take over the river channel and sufficient adjacent area to provide a parkway for perpetual public use.

The work of acquiring title to the necessary land was very long, costly

and complicated, but is now nearly complete. The stream is now unobstructed and unpolluted; many buildings have been removed; extensive operations of removal of debris, grading and planting have been carried on; and the entire course of the stream bids fair to be beautiful as well as wholesome, the latter condition being most important by reason of the thousands who enjoy bathing and other water sports in the stream. To those who do not remember the previous condition of the Bronx River, the changes can best be explained by the numerous "before and after" photographs in the possession of the commission.

The report of the commission states that the cost of acquiring the land has been considerably over \$5,000,000. It goes on to say that the cost would have been far less if the work had been authorized some years earlier, and before factories and other structures had been erected on the reservation. This is one more testimony to the danger of procrastination in acquiring land for parks.

VIII. NEW YORK AND NEW JERSEY

Palisades Interstate Park

The park was created in 1900 by the states of New York and New Jersey to stop the destruction of the palisades and preserve them as a park. In 1906 the reservation was extended to take in Hook Mountain and in 1910 again extended north to Newburgh and westward to include the Ramapo Mountains.

It is controlled by an unpaid commission appointed by the governors of the two states and supported by appropriations from the states and by private contributions. To date, 1920, \$13,-

119,418.75 has been put into the park in acquiring lands and general development work. Of this amount New York state supplied \$5,963,526.48; New Jersey \$727,903.09; and private contributors \$6,427,990.18.

There are 1,000 acres in New Jersey extending for twelve miles along the Hudson River; 550 acres in the Blauvelt tract west of Nyack, 780 acres in the Hook Mountain-Rockland Lake section, and 33,708 acres in the Bear Mountain-Harriman section.

Much forestry work has been done, and more than 5,000,000 young trees and many native shrubs have been planted. One hundred and forty-nine kinds of flowers, 96 trees, 38 animals, 151 birds and 36 fish found in the park are listed. Lists of shrubs, butterflies, moths, reptiles, insects and geological specimens are not yet completed.

The commission operates two large steamers carrying, respectively, 2,000 and 3,000 passengers. They make daily trips between New York, Jersey City and Bear Mountain. Fares charged are intended to cover only expenses of operation and maintenance.

Every encouragement and facility is offered to camping. On the most picturesque lakes are standard mess and play pavilions all designed to harmonize with natural surroundings. Standard equipment is sold or rented. Cooked food based on a dietary by experts is sent in heat-retaining receptacles to the camps. Natural history exhibitions, musical and other entertainments are frequently arranged for visitors.

Anyone who travels in this park is likely to be struck by the fortunate survival of so much superb scenery so near a great city, if not uninjured, at any rate not destroyed, and easily capable of being restored in the course of time to its original condition.

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A Model Election System
and
The Direct Primary: Pro : Con

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NATIONAL MUNICIPAL LEAGUE

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EDITORIAL NOTES

A New Policy for the Time Being. The National Municipal League is glad to report that receipts from members' dues for the past year have increased. However, members' dues alone never paid for the work of the League; we have always relied on numerous larger contributions to meet the spread between dues and costs. Although we were late in feeling the effects of the present depression, they have come at last. And now our contributors, almost without exception, are advising us that they cannot renew their previous commitments until business is better. Nothing remains for us but retrenchment, a hard word for a busy organization.

After accomplishing all possible minor reductions, and publishing a somewhat smaller magazine with fewer supplements, something more radical became necessary. A modification in the publication policy of the REVIEW was accordingly decided upon by the Executive Committee in order that the League's educational and information service might be continued at par.

Therefore until our financial condition looks up, which we pray will not be long, we shall publish the REVIEW as heretofore only every other month. On intervening months we shall publish a reduced issue devoted largely to a single subject of which this number is a sample. The loss will be in the short articles, which will, however, be compensated for by the real value of a more exhaustive treatment of a single subject every other month.

In this way, the scientific output of the League will not be curtailed. And as soon as business conditions make it possible we shall return to the policy of a full magazine monthly. In the meantime we shall continue the propaganda for our model charter and model state constitution, and our other activities unabated. As a constructive force for better government our usefulness will in no sense be impaired.

We feel that you will approve this action of the Executive Committee and will stick by us. We are only taking a little sail during a general economic storm over which the men in the boat have no control.

Manager Plan and P. R. Win in Cleveland. The fifth city of the United States adopted the city manager plan with proportional representation by a decisive vote on November 8. Last spring when the campaign opened, the optimists who believed that the effort could succeed were few and far between. But as election day drew near the odds shifted until the betting was 2 to 1 in favor of the plan. A great share of the credit goes to A. R. Hatton who was first and last the dynamic force behind it all, and the recognized spokesman for the progressive element.

Since the new plan does not go into effect until two years have elapsed, plenty of opportunity exists for the re-adjustment necessitated by the radical changes. Cleveland is several times larger than any other American city enjoying the city manager plan. Nor has proportional representation yet been tried in this country on anything like so large a scale. Cleveland retains her prominence as a city of civic spirit with courage to do her own thinking on public questions.

A more extended account will be given in our next issue.

H. W. DODDS

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